



AGENDA, TROY CITY COUNCIL
MONDAY, APRIL 3, 2017, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARINGS R-24-2017 Application of EMATT EMARI EMARC Ohio Ltd Family Part to
retain land in an agricultural district (Evelyn Sheaffer, General Partner)

SUMMARY OF MINUTES March 20, 2017 Meeting motion/second/roll call vote

COMMITTEE REPORTS

RESOLUTIONS

R-21-2017	Approve Complete Streets Policy	3 rd Reading
R-24-2017	Application from EMATT EMARI EMARC Ohio Ltd Family Part (Evelyn Sheaffer, General Partner) to retain 83.18 acres in the agricultural district. PUBLIC HEARING 4-3-2017	1 st Reading
R-25-2017	Resolution of Necessity related to Phase 10 of the Sidewalk Improvement Program	1 st Reading

ORDINANCES

O-8-2017	Amend Zoning Code to prohibit cultivators or processors of medical marijuana	3 rd Reading
O-9-2017	Amend Zoning Code to permit one retail dispensary of medical marijuana only within the B-4 Zoning District	3 rd Reading
O-10-2017	Grant pipeline easement to Vectren Energy Delivery of Ohio regarding gas main for properties along E. Main Street between S. Walnut and S. Mulberry Streets	1 st Reading

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

DISPOSITION OF ORDINANCES AND RESOLUTIONS

Date of Meeting: April 3, 2017

Troy City Council Meeting

[illegible]

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 20, 2017, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Oda, Phillips, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mr. Tremblay, seconded by Mr. Twiss, Mr. Kendall was excused from this meeting by unanimous roll call vote.

Upon motion of Mrs. Snee, seconded by Mr. Terwilliger, Mr. Schweser was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker

President of Council

Others Present:

Michael L. Beamish
Patrick E. J. Titterington
Grant D. Kerber

Mayor
Director of Public Service and Safety
Director of Law

INVOCATION: An invocation was given by Mrs. Snee, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:02 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-8-2017, amending the Zoning Code to prohibit cultivators or processors of medical marijuana.

There were no comments in this regard, and at 7:03 p.m., Mrs. Baker declared this public hearing closed.

At 7:03 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-9-2017, amending the Zoning Code to permit one retail dispensary of medical marijuana and only within the B-4 Zoning District.

Supporting the Ordinance:

-Amy Shannon, 1560 Windridge Place, Apt. D, showed Council the prescriptions that she took two years ago; said that a salve she is using that is a version of medical marijuana has helped her; commented that sometimes people have medical symptoms that would not permit them to drive to another community to obtain medical marijuana; she does not understand the fear about this subject; she questions how it is moral and ethical and right for someone to tell her she cannot access in her home town a medication prescribed to help her; and she asked Council to approve a dispensary in Troy for access to the medication.

-Chris (no last name given), 534 ½ S. Walnut Street, discussed how he has dealt with Hepatitis C for over 20 years; commented that the medications prescribed have side effects, and he has had to buy marijuana off the street to lessen the effects of his illness. He commented that if Narcan can be administered to a heroin addict, medical marijuana can also be used to sustain a life in a positive way.

-Lester Conard, 1210 S. Clay Street, commented that he supports medical marijuana as it will allow someone to live a normal life without pain and suffering,

Opposing the Ordinance:

-Christina Ryan Claypool, 2515 Huntington Drive, stated her sympathy with people struggling with illnesses and personally understands being addicted to marijuana. She also commented that this is a complicated issue; from her research and working with a prison pre-release program, marijuana is considered a gateway drug; and what becomes allowed for someone needing medical marijuana can then become an illegal item for others. She stated that she believes allowing medical marijuana can change the complexion of a community.

There being no further comments, at 7:20 p.m. Mrs. Baker declared this public hearing closed.

Mrs. Baker commented that the Law & Ordinance Committee will meet to provide a recommendation on this subject at 5:30 p.m. on March 28.

MINUTES: The Clerk gave a summary of the minutes of the March 6, 2017 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Heath, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS

Finance Committee: Mr. Tremblay reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety of the City of Troy, Ohio to enter into the PY 2017 Chip Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, Ohio, the City of Tipp City, Ohio, and the City of Troy, Ohio, for the Ohio Development Services Administration (ODSA) Community Housing Impact and Preservation (CHIP) Program. This will permit the grant funds to be expended on qualifying Troy properties. As the County must conduct public hearings and then finalize grant agreements by May 5, Committee supports emergency legislation so that the County will know that Troy will be included in the program.

Report signed by Tremblay.

Discussion. In response to Mr. Twiss asked it was stated that the grant funds would be available to use on properties within the partner communities.

Law & Ordinance Committee: Mr. Snee reported that Committee recommends that the legislation prepared to approve that the Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District be approved. Report signed by Phillips and Snee.

CITIZEN COMMENTS:

-Jeff Shilling, 591 Chartwell Court, stated his concerns regarding the Complete Streets Policy. He commented concern about bikes sharing the roadway safely on West Main due to the volume of traffic. Mr. Shilling suggested that the City funnel bikes away from West Main Street and other congested streets so they can access bike paths; suggested bike riding be allowed on sidewalks in certain locations as that would be safer than heavily traveled streets and those with higher speed limits; stated concern if driving lanes would be lost for bicycles only; and noted some areas, such as the McKaig Road Bridge, where visibility is limited and shared lanes could be dangerous. Mr. Shilling stated his interest in encouraging cycling, and hopes that can be done safely and to not further complicate traffic.

-Lester Conard, 1210 S. Clay Street, commented that he believes there is a bigger problem with drivers texting and on phones that will not see someone on a bicycle.

RESOLUTION NO. R-21-2017

RESOLUTION ADOPTING THE CITY OF TROY, OHIO COMPLETE STREETS POLICY AS PART OF THE CITY OF TROY COMPREHENSIVE PLAN

This Resolution was given first title reading on March 6, 2017.
Given second title reading.

Discussion. Mrs. Oda asked about those who visited Columbus to view how Complete Streets works in that City. Mr. Titterington advised that members of staff did visit Columbus and met with officials, and participated in a bike ride. Mrs. Oda asked if there are communities comparable to Troy that have adopted a Complete Streets Policy, and was advised that a list will be provided.

RESOLUTION NO. R-22-2017

RESOLUTION APPROVING APPLICATION OF NEAL FARMS, INC. (AKA NEAL BROTHERS INC., NEAL MOORE FARMS LLC, AND MARTIN NEAL) TO RETAIN LAND IN AN AGRICULTURAL DISTRICT

This Resolution was given first title reading on March 6, 2017.
Given second title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Tremblay, Terwilliger, Phillips, Heath, Twiss, Oda and Snee.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Terwilliger, Phillips, Heath, Twiss, Oda, Snee and Tremblay.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-23-2017

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO THE PY 2017 CHIP PROGRAM PARTNERSHIP AGREEMENT BY AND BETWEEN THE MIAMI COUNTY BOARD OF COMMISSIONERS, THE CITY OF PIQUA, OHIO, AND THE CITY OF TIPP CITY, OHIO AND THE CITY OF TROY, OHIO FOR THE OHIO DEVELOPMENT SERVICES ADMINISTRATION (ODSA) COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Phillips, Heath, Twiss, Oda, Snee, Tremblay and Terwilliger.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Heath, Twiss, Oda, Snee, Tremblay, Terwilliger and Phillips.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2017

AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading on March 6, 2017.
Given public hearing and second title reading.

ORDINANCE NO. O-9-2017

AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading on March 6, 2017.
Given public hearing and second title reading.

COMMENTS OF THE MAYOR: Mayor Beamish commented:

-Thanked Grant Kerber and Tim Davis for being advisors to the Youth Council and participating in an exercise for the group to list what they see as concerns for Troy and positives for Troy.

-Noted that a number of veterans and others were in town on March 18 to participate in the first phase of the Warrior 150 Challenge, which is series of walks scheduled to take place during this year to recognize the 150th Anniversary of the VA.

COMMENTS OF COUNCIL MEMBERS:

-Mrs. Oda asked if there will be a public open house at the Hobart Arena. Mr. Titterington commented that an open house is being planned by the Recreation Board and staff with the date to be determined. He also noted that the Hobart Arena renovation project is complete except for some final punch list items.

There being no further business, Council adjourned at 7:49 p.m.

Clerk of Council

President of Council

COMMITTEE MEETING
TROY CITY COUCL

TO: Mrs. Baker, President of Council

DATE: March 28, 2017

FROM: Law & Ordinance Committee

SUBJECT: ORDINANCE NO. O-8-2017, ZONING CODE AMENDMENT, PROHIBIT CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA
ORDINANCE NO. O-9-2017, ZONING CODE AMENDMENT, PERMIT ONE MEDICAL MARIJUANA DISPENSARY AND ONLY WITHIN THE B-4 ZONING DISTRICT

SUMMARY REPORT: *(To be read at Council meeting)*

This Committee met on March 28 regarding the recommendations of the Troy Planning Commission that:

1. The Zoning Code be amended to prohibit the cultivators and processors of medical marijuana.
2. The Zoning Code be amended to establish the number of permitted retail dispensaries of medical marijuana at one and only to be located only within a B-4 zoning district.

Based on a new State law, municipalities may prohibit the cultivating, processing, and dispensing of medical marijuana or regulate the number and location. All other rules, regulations and fees will be established by the State. The proposed legislation does not comment on the validity or possible ramifications of medical marijuana.

The Committee noted that Council has previously twice considered Planning Commission recommendations on this subject, but failed to enact those recommendations or amendments to the recommendations.

RECOMMENDATION:

Regarding O-8-2017, Committee recommends Council adopt the Ordinance as recommended by the Troy Planning Commission, to amend the Zoning Code to establish a City-wide ban on the cultivators and processors of medical marijuana.

Regarding O-9-2017, Committee recommends that the Ordinance be amended to establish a City-wide ban on dispensaries of medical marijuana and, further, that the amended Ordinance be approved.

Respectfully submitted,

Lynne B. Snee

Bobby W. Phillips

John W. Schweser, Chairman
Law and Ordinance Committee

DETAILED REPORT:

This Committee met on March 28, 2017, regarding the recommendations of the Troy Planning Commission that the Zoning Code be amended to prohibit the cultivators and processors of medical marijuana and that the Zoning Code be amended to permit one dispensary of medical marijuana provided that any such dispensary is located in the B-4 zoning district. This meeting was also attended by Mayor Beamish, Council President Baker, Council Members Heath, Kendall, Oda, Terwilliger and Twiss, the Director of Public Service and Safety, members of the City staff, and citizens.

Council established a second 180 day moratorium related to cultivating, processing and dispensing medical marijuana to allow time to consider if amendments to the Zoning Code should be recommended to respond to the new State Law permitting certain functions related to medical marijuana.

At the February 8, 2017 meeting of the Troy Planning Commission, the Commission again made recommendations related to medical marijuana, but also recommended that the subject of cultivators and processors be considered separate from the subject of dispensaries. Based on the recommendation of Council, legislation is before Council to:

1. O-8-2017: Amend the Zoning Code to establish a City-wide ban on the cultivators and processors of medical marijuana.
2. O-9-2017: Amend the Zoning Code to establish the number of permitted retail dispensaries of medical marijuana at one and only to be located only within a B-4 zoning district.

The Committee notes:

- State Law permits municipalities to prohibit or establish zoning districts where medical marijuana may be cultivated, processed, and/or dispensed, and the number of establishments related thereto. All other rules and regulations will be established by the State, and related licensing fees will be received by the State.
- Prior to the current legislation before Council, twice the Planning Commission has provided recommendations to Council on this subject, and twice Council did not adopt legislation in this regard.

- The proposed legislation is only to establish the standards permitted to a City by the State law, and does not comment on the validity or possible ramifications of medical marijuana.

As this is an amendment to the Zoning Code, public hearings were held on both Ordinances at the March 20 meeting,

Regarding O-8-2017, no one spoke against the proposed Ordinance at the public hearing.

Recommendation:

It is the recommendation of this Committee that Council proceed to adopt Ordinance No. O-8-2017, to amend the Zoning Code to establish a City-wide ban on the cultivators and processors of medical marijuana.

Regarding O-9-2017, at the public hearing citizens spoke both in favor of and opposing the Ordinance.

At the Committee Meeting, one citizen spoke opposing the Ordinance, and one citizen spoke supporting the Ordinance. We appreciate the comments and concerns expressed by those who spoke at the public hearings, Council meetings, and Committee meetings. All comments were heard and considered.

Committee member Snee commented that with Council not enacting legislation supporting the Planning Commission recommendation, or an amendment to such recommendation that has sufficient votes to be adopted, she is concerned that the City is placed in the position of not having zoning regulations in place to address medical marijuana. She noted that while the Planning Commission members have discussed this subject on three occasions, has changed its current recommendation from that first recommended by the Commission, and the Commission is aware of what a majority of Council may support regarding retail dispensaries of medical marijuana, she does not believe it is the responsibility of the Planning Commission to make a recommendation based solely on what Council may support. Mrs. Snee further commented that if Council does not adopt O-9-2017, the cycle of a Planning Commission recommendation, public hearing by Council, and consideration of legislation will only continue to be repeated without a regulation established. Mrs. Snee stated it is her recommendation that O-9-2017 be amended to establish a City-wide ban on retail dispensaries of medical marijuana.

Committee member Phillips stated he supported the Planning Commission recommendation, but is concerned that the Commission's recommendation will not be supported by Council, and he will support the recommendation of Mrs. Snee.

Committee member Schweser stated he would also support the recommendation of Mrs. Snee.

It was discussed that if the Zoning Code is amended to establish a ban on medical marijuana dispensaries, it is a subject that could be considered in the future for amending if Council so wished.

Recommendation:

Regarding O-9-2017, Committee recommends that the Ordinance be amended to establish a City-wide ban on dispensaries of medical marijuana and, further, that the amended Ordinance be approved.

Cc: Mayor, Council, Director of Law, Auditor, Director of Public Service & Safety, Clerk, media, staff

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Streets & Sidewalks Committee
SUBJECT: COMPLETE STREETS POLICY – STATUS REPORT

DATE: March 28, 2017

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met again on March 28 to consider additional information provided regarding the Complete Streets Policy. At the March 20 meeting of Council, questions and comments were submitted regarding the policy. Those questions/comments and the additional staff information will be attached to the Committee Report.

RECOMMENDATION: *(to be read at Council meeting)*

This Committee reaffirms its February 21, 2017 recommendation that Council adopt the Complete Streets Policy.

Respectfully submitted,

Brock A. Heath

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

This Committee again met on March 28, 2017 regarding the recommendation of the Troy Planning Commission that the Complete Streets Policy be approved. This meeting was also attended by Mayor Beamish, Council President Baker, Council Members Kendall, Oda, Schweser, Tremblay and Terwilliger, the Director of Public Service and Safety, citizens, and members of the City staff.

At the March 20 meeting of Council, Mr. Jeff Shilling posed some questions and suggestions regarding the Complete Streets Policy. Staff provided additional information. Both the written citizen comments and that of staff are attached to this status report. Discussions included:

- Staff supports several of Mr. Shilling's comments, a number of which were already included in the Complete Streets Policy.
- The policy does not include bicycles using the roadway on Main Street west of the interstate; rather, an off-street trail and alternate routes are shown to get cyclists to designated paths.
- There would not be a proliferation of signs, but some directional signage.
- This is not a capital construction project, but is to identify viable connections for bicycle traffic and potential opportunities for safe bicycle traffic with future new or re-construction projects.
- The two-year review cycle would be by staff unless there were matters within the policy that required Council consideration.
- Councilmember Snee commented that some members of Council have indicated concern that driving lanes would be changed to bicycle lanes without Council consideration, such as the newer bicycle lane on Adams Street. It was explained that Adams Street was not a new roadway construction or reconstruction, but a lane marking, which is an administrative function. The Director of Public Service and Safety advised that such lane markings are decided after engineering consultations (staff and contracted) and that the markings must follow established standards. He further advised that Council would be made aware should a construction or re-construction project include creation of such lanes at the time Council considered bidding authorization as that would be an added cost.
- Councilmember Terwilliger indicated his support of the policy as it is an opportunity to develop a plan of major connections, but the policy also is fluid so it can be modified.
- The City's policy development included the Miami Valley Regional Planning Commission (MVRPC) as the MVRPC is the regional leader in considering a variety of modes of transportation.

Committee members thanked staff for providing the additional information.

RECOMMENDATION:

This Committee reaffirms its February 21, 2017 recommendation that Council adopt the Complete Streets Policy.

encl.

cc: Council, Mayor, Director of Law, Auditor, Service & Safety Director, Clerk, staff, file, media



MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: February 13, 2017

SUBJECT: ***COMPLETE STREETS POLICY***

BACKGROUND:

At the February 8, 2017, meeting of the Troy Planning Commission, staff presented a draft of the Complete Streets Policy for the City, which Program conforms to the Miami Valley Regional Planning Commission (MVRPC) Complete Streets Policy. Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. "User" includes people of all ages and abilities.

The adoption of the City of Troy Complete Streets Policy would ensure that City projects conform to the MVRPC Complete Street Policy, which may help City projects to remain competitive when seeking federal and state funding administered through this agency. MVRPC has requested that the City Council approve the Complete Streets Policy.

If approved by Council, the Complete Streets Policy would be incorporated into Chapter 8 of the Comprehensive Plan, which is currently being and revised by staff and the Planning Commission. Attached is a copy of the draft Complete Streets Policy and three maps. The first map shows the trail connectivity plan along with proposed bike lane types. The second map shows our future thoroughfare improvements. The final map shows all thoroughfare classifications. The attached policy addresses the areas of Vision, Definition, Purpose, Goals, Applicability, Implementation, Performance Measures, and Evaluation.

RECOMMENDATION:

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that the City of Troy Complete Streets Policy be approved.

encl.

cc: T. Davis



City of Troy

Tim E. Davis
Assistant Development Director

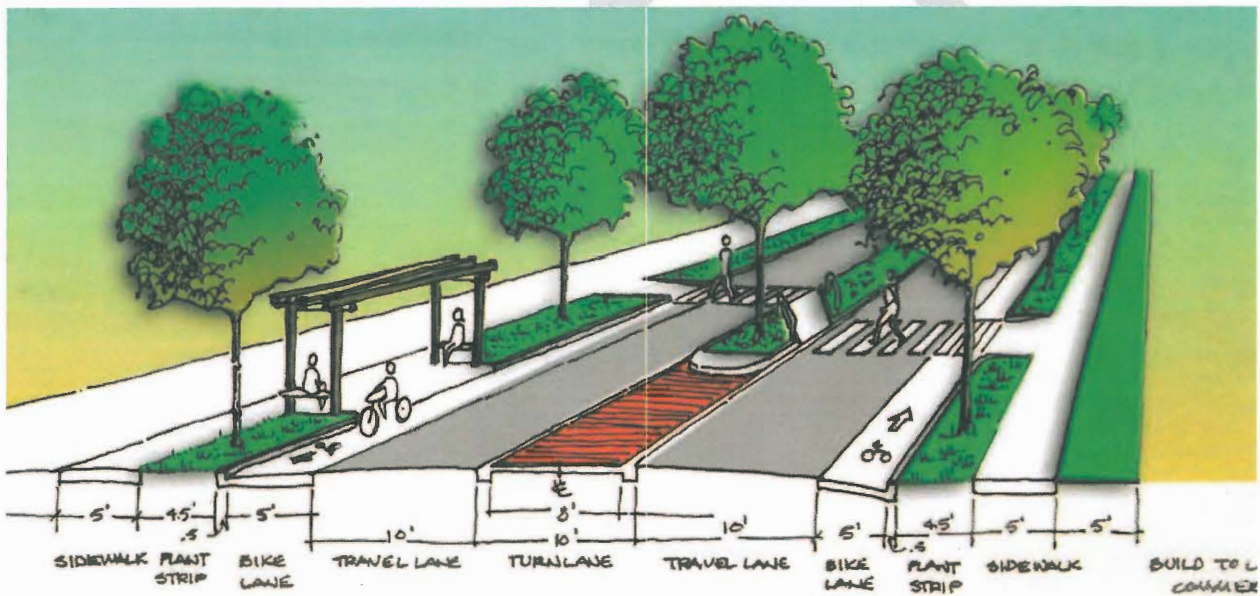
100 South Market Street
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phone: (937) 339-9481
fax: (937) 339-9341
tim.davis@troyohio.gov

DATE: February 8, 2017
TO: City of Troy Planning Commission
FROM: Tim Davis, Assistant Development Director
SUBJECT: Comprehensive Plan Update

Attached is a draft of the proposed Complete Streets program for the City of Troy. Complete Streets is a comprehensive transportation network designed to accommodate safe and comfortable modes of transportation for all users. Complete Streets was incorporated into Chapter 8 of the Comprehensive Plan update, which was discussed at our previous meeting.

Following the written draft policy you will find three maps. The first map shows the trail connectivity plan along with proposed bike lane types. The second map shows our future thoroughfare improvements and the final map shows all thoroughfare classifications.

We are asking that the Planning Commission review the Complete Streets program and provide a recommendation to City Council.



Complete Streets Policy

Adopted ____ ____, 20____

Resolution R-?-??

Vision

The vision of this Policy is to create a comprehensive, integrated, balanced, and connected transportation network where all users can travel safely and comfortably to promote a more livable community.

Definition

Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. "User" includes people of all ages and abilities.

Purpose

This Policy is intended to incorporate the needs of all users through the planning, design, approval, and implementation processes for any construction, reconstruction, and retrofit of streets in the transportation network, including pavement resurfacing, restriping and signalization operations if the safety and convenience of users can be improved within the scope of the work. Providing various forms of transportation will increase public health, reduce demand for motor vehicles by contributing to walkable neighborhoods which can foster interaction, create a sense of community pride and improve quality of life.

It is intended that this Policy, located in the City of Troy Comprehensive Plan, ensures city projects conform to the Miami Valley Regional Planning Commission Complete Street Policy, which implies city projects will remain competitive when seeking federal and state funding administered through this agency.

Goals

1. Incorporate the vision, purpose and goals of this Policy into all aspects of the project development process for transportation projects within the City.
2. Create a balanced, interconnected transportation network consistent with the Comprehensive Plan and other relevant policies of the City.
3. Promote the use of the best design standards including AASHTO, MUTCD, ADAAG and others as related. Methods for providing flexibility within safe design parameters will be considered.
4. Increase transportation choices to avoid traffic congestion and increase the overall capacity of the transportation network.
5. Improve safety by the design and accommodation for cyclist and pedestrians.
6. Encourage walking and cycling by providing a safe network to help people of all ages and abilities to get physical activity.
7. Encourage businesses to provide bicycle parking for staff and patrons.

Applicability

This Policy applies to all projects, including new construction, rehabilitation, repair, resurfacing, and maintenance of transportation network facilities located within the Public right-of-way or on public or private land. Projects approved or designed before the adoption of this Policy are exempt. All other projects are subject to this Policy.

Review Process

All transportation projects within the public right-of-way, publicly owned land, or within Planned Developments and subdivisions shall be reviewed for conformity with this policy.

Exemptions

Exemptions to the Complete Streets Policy must be documented in writing by either the City Engineer or Planning & Zoning Manager with supporting data that indicates the reason for the decision and follows:

1. There is an absence of current and future need.
2. The cost of accommodations for a particular mode is excessively disproportionate to the need and potential benefit of a project.
3. The project involves minor ordinary maintenance activities, such as cleaning, sealing, patching and surface treatments.

Implementation

1. Develop Complete Streets master transportation plan.
2. Evaluate each street and provide a classification type.
3. Implement recommendations to a Safe Routes to School Travel Plan and maintain local Safe Routes to Schools Program.
4. A systems approach should be used in developing roadway projects to ensure one mode of transportation does not prevent safe use by another mode.
5. Adjust Capital Improvement Plan to reflect a higher prioritization given to those projects that advance the vision and goals of the Complete Streets Policy.
6. Continue to evaluate traffic control devices with modification when necessary.
7. Implement recommendations of intersection improvements when development occurs.

Performance Measures

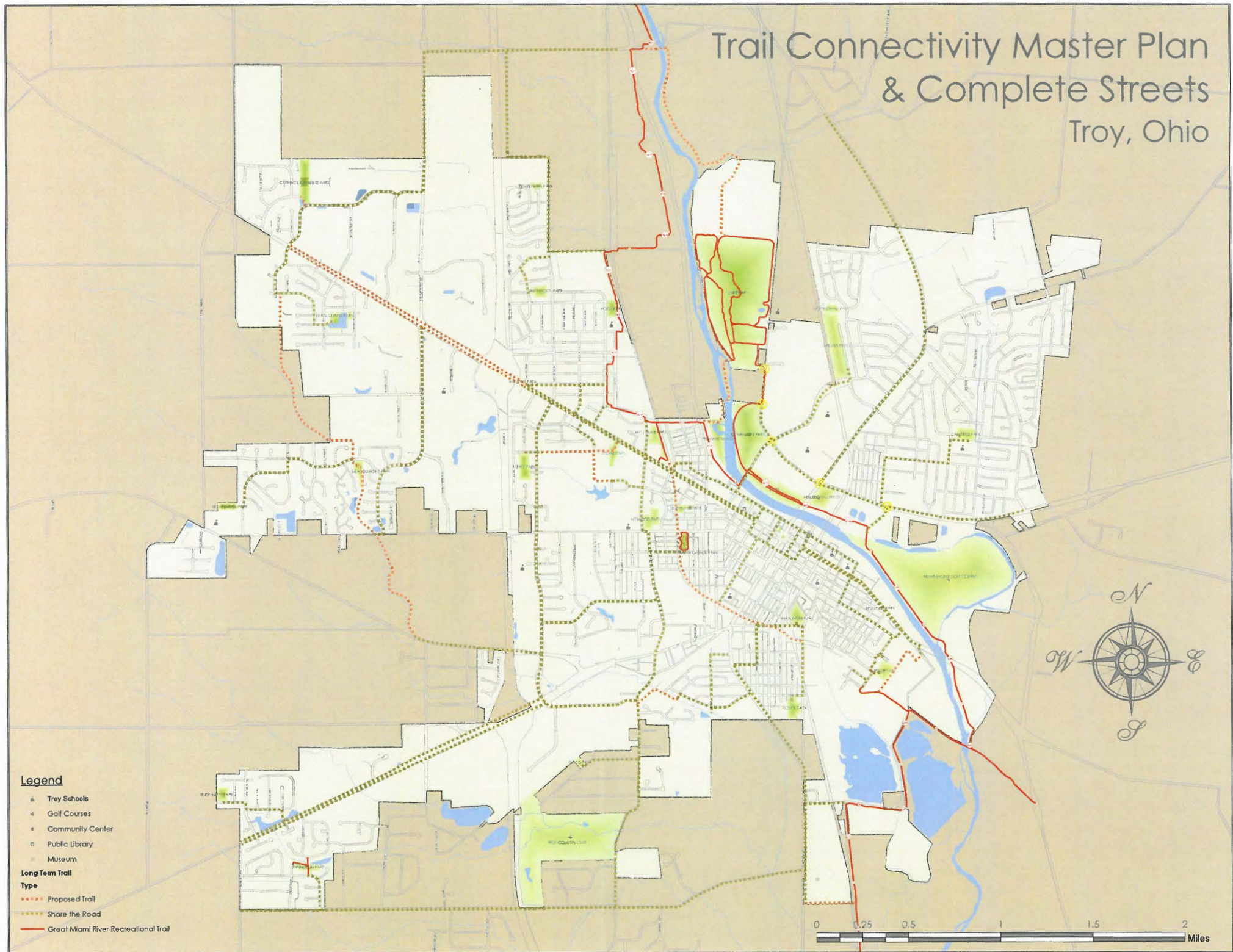
1. Increase the number of miles of on-street bicycle routes with clearly marked accommodations.
2. Provide sidewalk connectivity throughout the city.
3. Increase the public and private development to install bicycle racks and other street furniture.
4. Provide training and education for staff, elected and appointed officials and citizens to continue to promote the goals included in this policy.

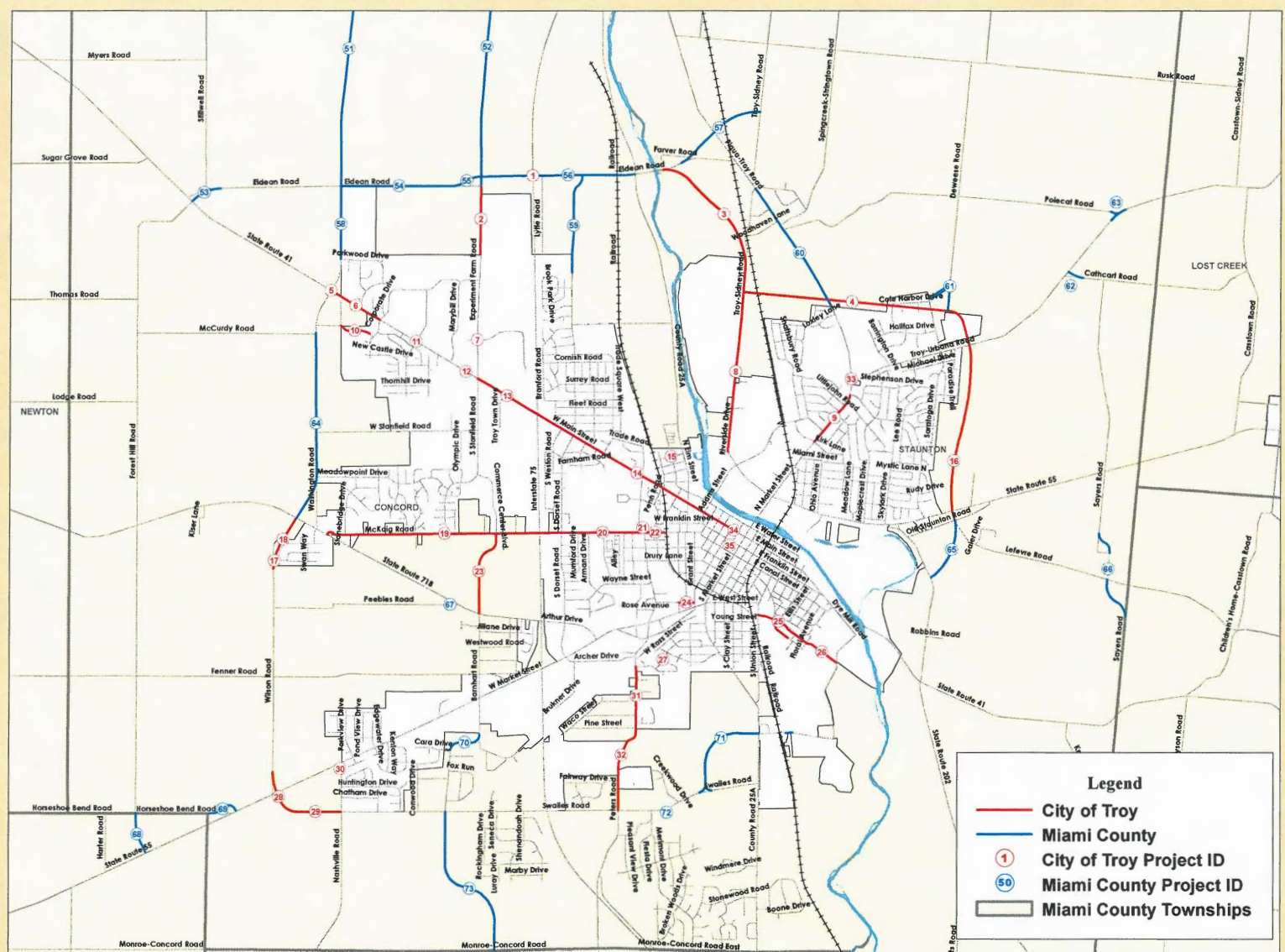
Evaluation

The City shall evaluate this policy and the documents associated with it every two years. The evaluation may include recommendations for amendments to the Complete Streets Policy.

DRAFT

Trail Connectivity Master Plan & Complete Streets Troy, Ohio





CITY OF TROY

MIAMI COUNTY

Project ID	L RTP_ID*	PROJECT NAME	Project ID	L RTP_ID*	PROJECT NAME
1	533	Northern Access Interchange Feasibility Study between State Route 41 and County Road 25-A	50	517B	Farrington Road Widening (Ph 2) from Experiment Farm Road to Washington Road
2	113	Experiment Farm Road Widening from Corporate Drive to Eldean Road	51	516C	Washington Road Widening (Ph 3) from Eldean Road to Farrington Road
3	509A	Northern Connector (Ph 1) from County Road 25-A to Troy-Sidney Road	52	532	Experiment Farm Road Widening from Eldean Road to Farrington Road
4	509B	Northern Connector (Ph 2) from Troy-Sidney Road to Troy-Urbana Road	53	534	Eldean Road and Forest Hill Road Realignment at State Route 41
5		Washington Road Realignment at State Route 41	54	512B	Eldean Road Widening (Ph 2) from Washington Road to Experiment Farm Road
6	96	State Route 41 Widening from Kings Chapel Dr to Washington Rd	55	113A	Eldean Road and Experiment Farm Road Realignment
7		Experiment Farm Road and Towne Park Drive Signalization	56	512A	Eldean Road Widening (Ph 1) from Washington Road to County Road 25-A
8	530	Riverside Drive Widening from Community Park to northern Duke Park	57		Eldean Road Realignment from Covered Bridge to Troy-Sidney Road (across Railroad)
9		North Market Street (Ph 2) Improvements from Foss Way/Kirk Lane to Stonyridge Avenue	58	516B	Washington Road Widening (Ph 2) from State Route 41 to Eldean Road
10		Executive Drive Extension to Old Washington Bend Court	59		Dorset Road Realigned Extension to Eldean Road
11		State Route 41 and Kings Chapel Drive Signalization	60	514	Piqua-Troy Road Widening from Corp Limit to Troy-Sidney Road
12	537A	State Route 41 Traffic Signal Interconnect (Ph 2) with Dorset Road & Marybill Drive	61		Realign Deweese Road at Northern Connector (Ph 2) and add cul-de-sac
13	371	State Route 41 Widening from Experiment Farm Road to I-75	62		Cathcart Road Realignment at Troy-Urbana Road
14		State Route 41 Improvements from I-75 to Cherry Street	63		Polecat Road Realignment at Troy-Urbana Road
15		Atlantic Street Cul-De-Sac	64	516A	Washington Road Widening (Ph 1) from State Route 718 to State Route 41
16	509C	Northern Connector (Ph 3) from Troy-Urbana Road to State Route 55	65		State Route 202 and State Route 55 Realignment
17		Wilson Road Curve Realignment south of State Route 718	66		Sayers Road Realignment at Lefevre Road
18		Washington Road and Wilson Road Realignment at State Route 718	67		Peebles Road Realignment at State Route 718
19	121	McKaig Road Widening (Ph 5) from Dorset Road to Cartwright Court	68		Forest Hill Road Extension to State Route 55
20		McKaig Road Improvements (Ph 4) from I-75 to Alley west of Lake	69		Horseshoe Bend Road Realignment at State Route 55
21		Ridge Avenue and McKaig Avenue Realignment	70		Barnhart Road Curve Realignment south of State Route 55
22		McKaig Road Improvements (Ph 3) from Alley west of Lake to Madison Street	71		Dye Mill Road Extension from County Road 25A to Swailes Road
23	103	Commerce Center Boulevard Extension (Ph 3) from McKaig Road to State Route 718	72		Swailes Road Curve Realignment
24		West Street Extension from Garfield Street to Grant Street	73		Barnhart Road Extension from Swailes Road to Monroe-Concord Road
25		Williams Street Extension to Patton Street and Jeep Street			
26		Floral Avenue Extension to Dye Mill Road			
27		Southview Drive Bridge Connector			
28		Wilson Road Realignment at State Route 55			
29	507	Swailes Road Extension from Nashville Road to State Route 55			
30		Nashville Road Realignment at State Route 55			
31	508A	Peters Road Widening (Ph 1) from Dickerson Drive to Premwood Drive			
32	508B	Peters Road Widening (Ph 2) from Premwood Drive to Swailes Road			
33		N Market Street & Troy-Urbana Road Signalization			
34		Streetscape - W Main Street from Cherry Street to Plum Street			
35		Streetscape - S Market Street from Franklin Street To Canal Street			

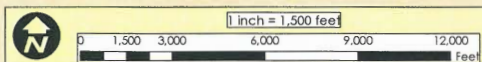
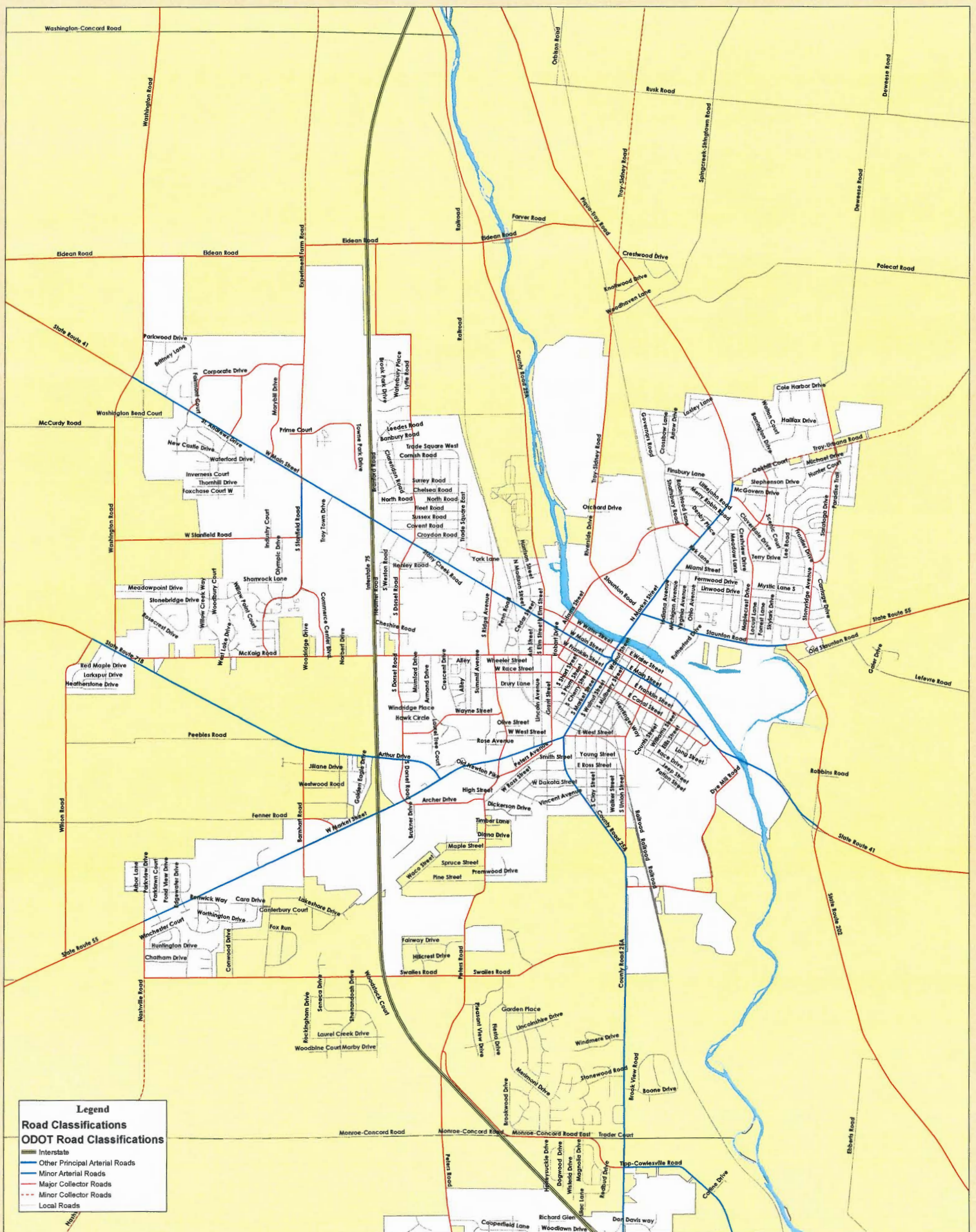


Figure: 8-2 Thoroughfare Improvements

City of Troy
Engineering Department

100 S Market Street
Troy, Ohio 45373
Date: 11/17/2016



COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 28, 2017

FROM: Streets & Sidewalks Committee

SUBJECT: SIDEWALK REPLACEMENT PROGRAM, RESOLUTION OF NECESSITY FOR PHASE 10

SUMMARY REPORT: *(to be read at Council meeting)*

On March 28 this Committee met to consider recommending the Resolution of Necessity for Phase 10 of the Sidewalk Replacement Program. Phase 10 includes approximately 65 parcels as described in the detailed report. These property owners would be given a time period to obtain a permit for the work; thereafter the repairs would be made by the City.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that the Resolution of Necessity be prepared regarding the sidewalks in Phase 10 of the Sidewalk Replacement Program.

Respectfully submitted,

Brock A. Heath

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

On March 28, 2017, this Committee met to consider a Resolution of Necessity for Phase 10 of the Sidewalk Replacement Program. Also attending the meeting were Mayor Beamish, Council President Baker, Council Members, Kendall, Oda, Schweser, Terwilliger and Tremblay, the Director of Public Service and Safety, citizens, and members of the City staff.

This program is to replace raised, cracked and otherwise dangerous sidewalks that have a liability potential for the property owners and the City. State law requires the property owner to keep the abutting sidewalk in good repair. Phase 10 includes approximately 65 parcels in the areas along South Mulberry Street between East Ross Street and South Market Street; South Clay Street between East West Street and South Market Street; along South Crawford Street between East West Street and Young Street; East West Street between South Clay Street to the CSX Railroad; and East Ross Street and Enyeart Street between South Mulberry Street and South Clay Street. If a Resolution of Necessity is approved, property owners will be given a period to obtain the permit for the sidewalk work. Those permits are good for six months. Properties for which permits are not obtained will then be included in a sidewalk project bid by the City, with the property owners later paying the City for that work or having the cost assessed to the property tax.

RECOMMENDATION:

It is the recommendation of this Committee that the Resolution of Necessity be prepared regarding the sidewalks in Phase 10 of the Sidewalk Replacement Program.

Cc: Council
Mayor
Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Utilities Committee
SUBJECT: GRANT GAS LINE EASEMENT TO VECTREN ENERGY DELIVERY OF OHIO - E. MAIN STREET

DATE: March 28, 2017

SUMMARY REPORT: *(to be read at Council meeting)*

On March 28 Committee members Terwilliger and Tremblay met regarding granting a gas line easement to Vectren Energy Delivery of Ohio, Inc. The easement will provide for Vectren to maintain the gas line placed along a block of East Main Street.

RECOMMENDATION: *(to be read at Council meeting)*

It is s to Vectren Energy Delivery of Ohio, Inc. related to the placement of the gas main to serve the properties between South Walnut Street and South Mulberry Street.

Respectfully submitted,

John L. Terwilliger

William B. Twiss

Douglas W. Tremblay, Chairman
Utilities Committee

DETAILED REPORT:

On March 28, 2017, Committee members Terwilliger and Tremblay met to consider providing a recommendation regarding Council granting a gas line easement to Vectren Energy Delivery of Ohio, Inc. Also attending the meeting were Mayor Beamish, Council President Baker, Council Members, Heath, Kendall, Oda, Phillips, Schweser and Snee, the Director of Public Service and Safety, citizens, and members of the City staff.

A gas line has been placed along East Main Street to serve the properties between South Walnut Street and South Mulberry Street. Vectren required replacement of this main due to their bare steel/cast iron replacement program. The underground utility work included boring and open cutting south of the buildings (including the Police Department) which front East Main Street, through City owned parking lots. For any future maintenance of the line that may be required, the City has been asked to grant the easement to Vectren.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared approving a grant for a pipeline easement to Vectren Energy Delivery of Ohio, Inc. related to the placement of the gas main to serve the properties between South Walnut Street and South Mulberry Street.

Cc: Council
Mayor
Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

RESOLUTION No. R-21-2017

Dayton Legal Blank, Inc.

**RESOLUTION ADOPTING THE CITY OF TROY, OHIO
COMPLETE STREETS POLICY AS PART OF THE CITY OF
TROY COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the Complete Streets Policy of the City of Troy, Ohio, and recommended that it be approved by Troy City Council as part of the City of Troy Comprehensive Plan; and

WHEREAS, Complete Streets are facilities designed and operated to safely and comfortably accommodate users of all ages and abilities, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street; and

WHEREAS, the Complete Streets philosophy is a logical extension of the Americans with Disabilities Act and helps to expand access for people with disabilities and older residents of the City; and

WHEREAS, there are multiple environmental, economic and health benefits that can be derived from building streets and roads that encourage active transportation (transit use, biking and walking); and

WHEREAS, the Federal Highway Administration, the Ohio Department of Transportation, and over a hundred jurisdictions across the country have adopted Complete Streets policies or made policy statements supporting Complete Streets; and

WHEREAS, adoption of the Complete Streets Policy would ensure that City of Troy projects conform to the MVRPC Complete Streets Policy, which may help Troy projects to remain competitive when seeking federal and state funding; and

WHEREAS, the Complete Streets Policy will be reviewed and updated as necessary based on a two-year schedule.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

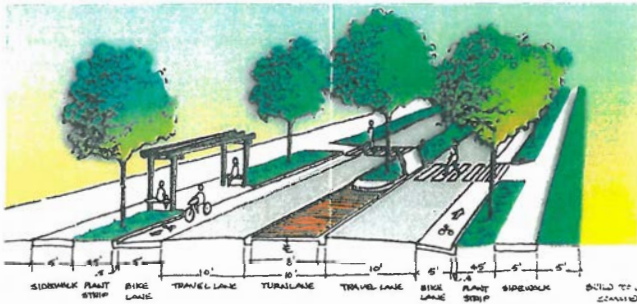
SECTION I: That the Council of the City of Troy, Ohio hereby adopts the Complete Streets Policy, attached hereto as Exhibit A as part of the Comprehensive Plan of the City of Troy, Ohio, with the Complete Streets guidelines applied to local projects as appropriate and developers encouraged to apply complete streets principles to their projects.

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor



Complete Streets Policy

Adopted _____, 20__

Resolution No. _____

Vision

The vision of this Policy is to create a comprehensive, integrated, balanced, and connected transportation network where all users can travel safely and comfortably to promote a more livable community.

Definition

Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. "User" includes people of all ages and abilities.

Purpose

This Policy is intended to incorporate the needs of all users through the planning, design, approval, and implementation processes for any construction, reconstruction, and retrofit of streets in the transportation network, including pavement resurfacing, restriping and signalization operations if the safety and convenience of users can be improved within the scope of the work. Providing various forms of transportation will increase public health, reduce demand for motor vehicles by contributing to walkable neighborhoods which can foster interaction, create a sense of community pride and improve quality of life.

It is intended that this Policy, located in the City of Troy Comprehensive Plan, ensures city projects conform to the Miami Valley Regional Planning Commission Complete Street Policy, which implies city projects will remain competitive when seeking federal and state funding administered through this agency.

Goals

1. Incorporate the vision, purpose and goals of this Policy into all aspects of the project development process for transportation projects within the City.
2. Create a balanced, interconnected transportation network consistent with the Comprehensive Plan and other relevant policies of the City.
3. Promote the use of the best design standards including AASHTO, MUTCD, ADAAG and others as related. Methods for providing flexibility within safe design parameters will be considered.
4. Increase transportation choices to avoid traffic congestion and increase the overall capacity of the transportation network.
5. Improve safety by the design and accommodation for cyclist and pedestrians.
6. Encourage walking and cycling by providing a safe network to help people of all ages and abilities to get physical activity.
7. Encourage businesses to provide bicycle parking for staff and patrons.

Applicability

This Policy applies to all projects, including new construction, rehabilitation, repair, resurfacing, and maintenance of transportation network facilities located within the Public right-of-way or on public or private land. Projects approved or designed before the adoption of this Policy are exempt. All other projects are subject to this Policy.

Review Process

All transportation projects within the public right-of-way, publicly owned land, or within Planned Developments and subdivisions shall be reviewed for conformity with this policy.

Exemptions

Exemptions to the Complete Streets Policy must be documented in writing by either the City Engineer or Planning & Zoning Manager with supporting data that indicates the reason for the decision and follows:

1. There is an absence of current and future need.
2. The cost of accommodations for a particular mode is excessively disproportionate to the need and potential benefit of a project.
3. The project involves minor ordinary maintenance activities, such as cleaning, sealing, patching and surface treatments.

Implementation

1. Develop Complete Streets master transportation plan.
2. Evaluate each street and provide a classification type.
3. Implement recommendations to a Safe Routes to School Travel Plan and maintain local Safe Routes to Schools Program.
4. A systems approach should be used in developing roadway projects to ensure one mode of transportation does not prevent safe use by another mode.
5. Adjust Capital Improvement Plan to reflect a higher prioritization given to those projects that advance the vision and goals of the Complete Streets Policy.
6. Continue to evaluate traffic control devices with modification when necessary.
7. Implement recommendations of intersection improvements when development occurs.

Performance Measures

1. Increase the number of miles of on-street bicycle routes with clearly marked accommodations.
2. Provide sidewalk connectivity throughout the city.
3. Increase the public and private development to install bicycle racks and other street furniture.

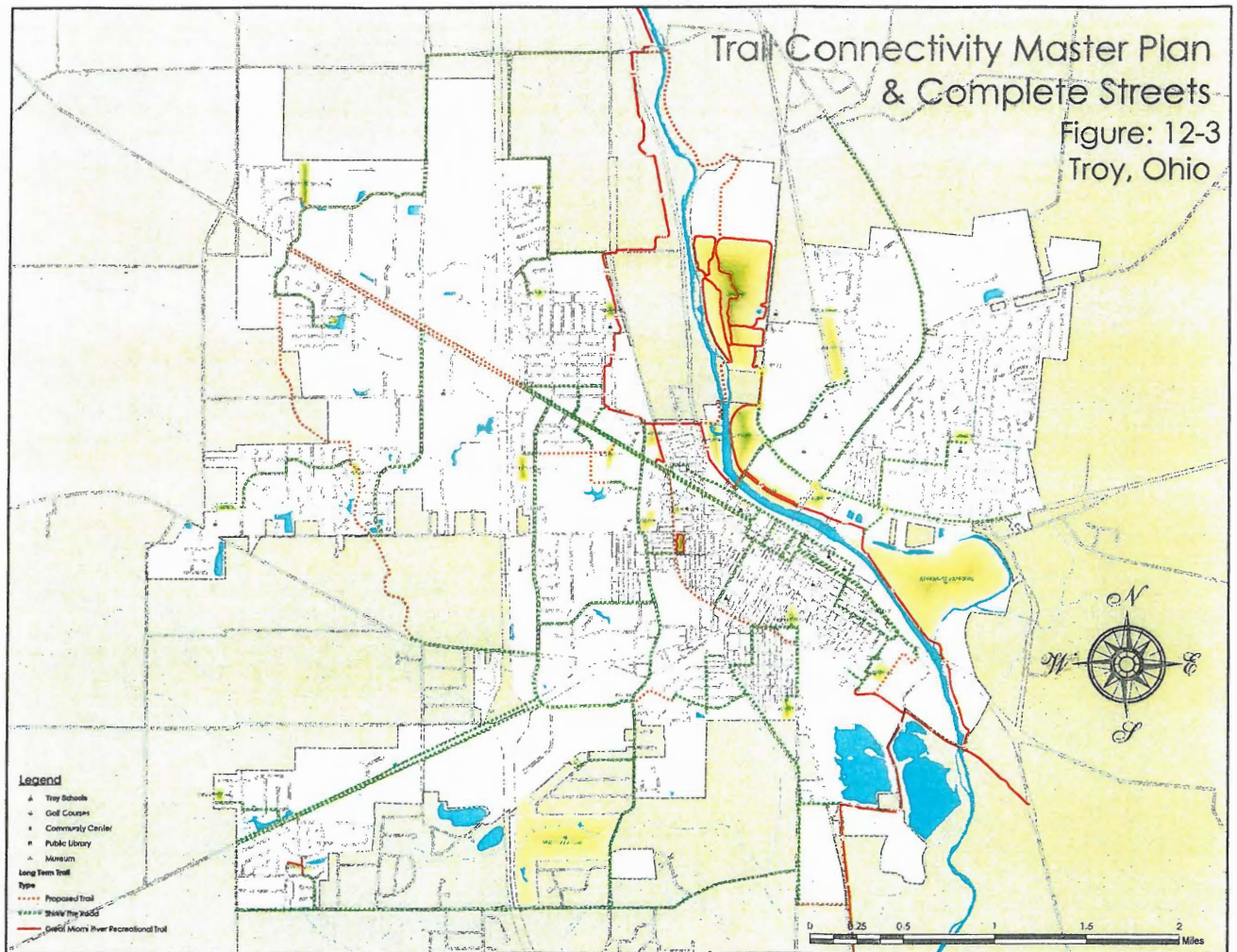
4. Provide training and education for staff, elected and appointed officials and citizens to continue to promote the goals included in this policy.

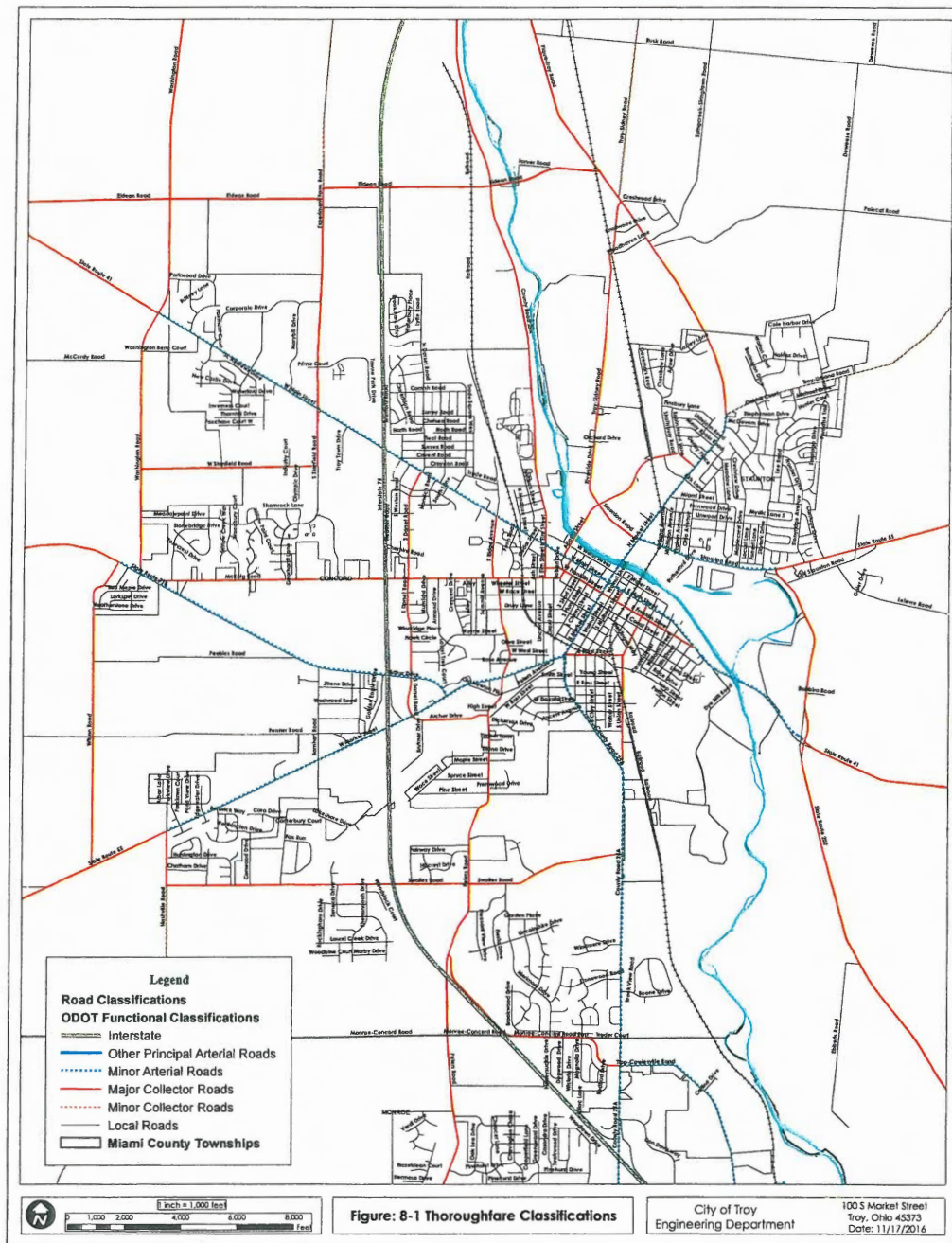
Evaluation

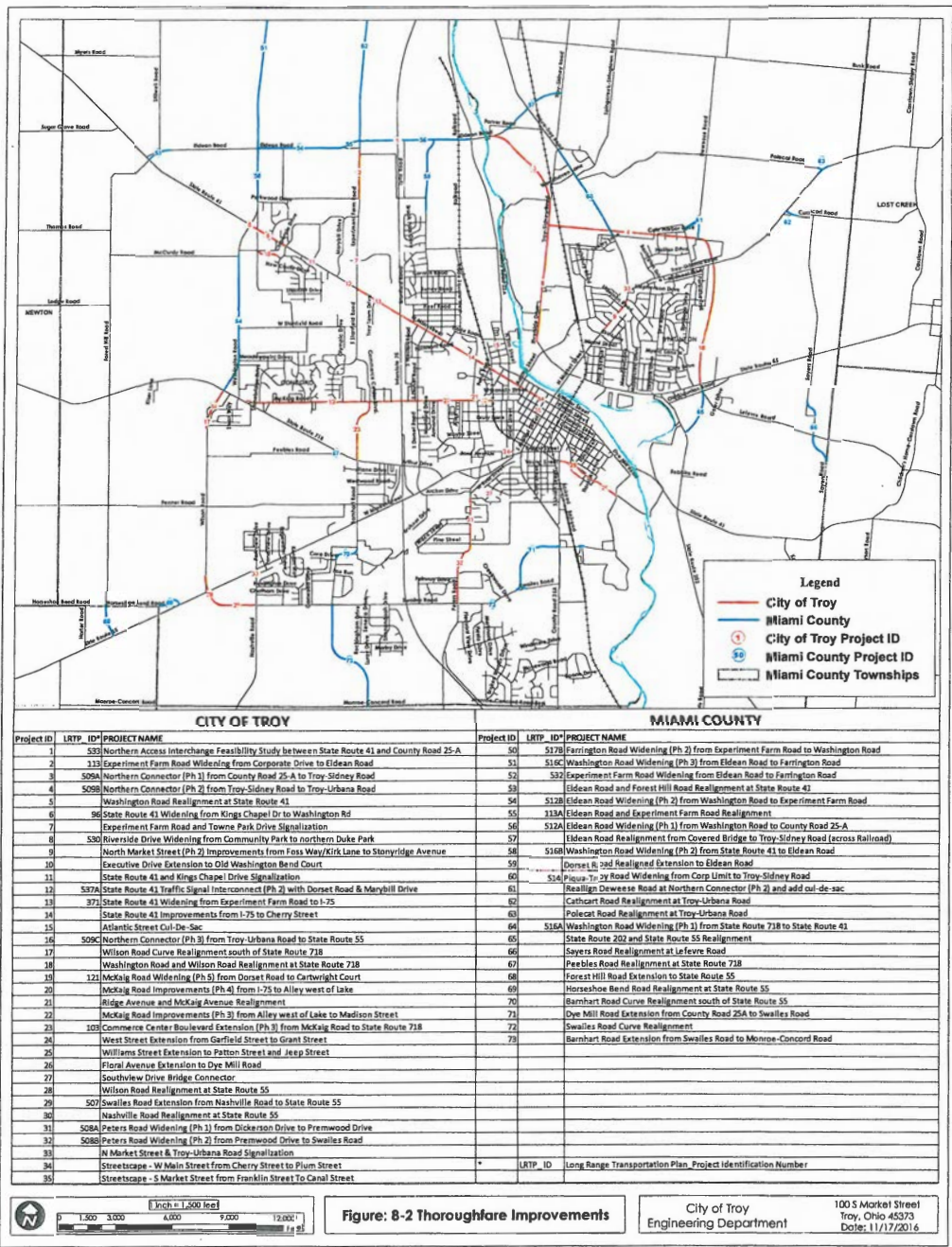
The City shall evaluate this policy and the documents associated with it every two years. The evaluation may include recommendations for amendments to the Complete Streets Policy.

Trail Connectivity Master Plan & Complete Streets

Figure: 12-3
Troy, Ohio









100 S. Market Street
P. O. Box 3003
Troy, Ohio 45373
www.troyohio.gov
phone: (937) 335-1725
fax: (937) 339-8601
patrick.titterington@troyohio.gov

MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Patrick E. J. Titterington *PJT*

DATE: March 10, 2017

SUBJECT: APPLICATION FOR PLACEMENT OF FARMLAND IN AGRICULTURAL DISTRICT – EMATT
EMARI EMARC OHIO LTD FAMILY PART, EVELYN SHEAFER GNERAL PARTNER

RECOMMENDATION:

That the renewal application of EMATT EMARI EMARC Ohio Ltd Family Part for placement of farmland in an Agricultural District be considered by Council.

BACKGROUND:

As stated in the attached, the County has forwarded the application filed by Evelyn Sheafer, General Partner, to have 83.18 acres at 2372 N. Washington Road continue to be placed in an Agricultural District.

This request was made to the County Auditor, in accordance with ORC Section 929.02. As the property is within the corporate limits, the request must also be approved by the City. The ORC requires that the City hold a public hearing within 30 days of the date the application is filed and that Council make a determination within 30 days of the public hearing.

An application for this land was processed in 2007 and 2012. The designation is for five years, with renewal applications also considered by the City so that every five years the City is given the opportunity to determine if the land should continue to remain in an Agricultural District. The primary advantages to the property owner for being in an Agricultural District are:

- 1) The property owner can continue the current land use even though the land is now zoned M-2, Light Industrial District. (In other words, surrounding property owners have no basis to complain that an "agricultural" operation is taking place inside the City.)
- 2) Should the City decide to extend water and sewer across this property by assessment, the assessment would be deferred until any part of the land ceases to be used for agricultural purposes (i.e., land use change).

As far as the City is concerned, the only disadvantage in having this property included in an Agricultural District is the same reason as in item 2 above – that is, if the City should assess the property, the collection of the assessment would be deferred. However, as noted above, the designation can only stand for five years, and renewal applications must be reviewed and acted upon by Council.

REQUESTED ACTION:

It would be appreciated if the EMATT EMARI EMARC Ohio Ltd Family Part Agricultural District application could be assigned to a Committee of Council. As noted in the attached, the public hearing has been set for April 3. Council must then act no later than the May 1 meeting.

encl.



City of Troy

Sue G. Knight
Clerk of Council

P. O. Box 3003
Troy, Ohio 45373
www.troyohio.gov
phone: (937) 335-1725
fax: (937) 339-8601
sue.knight@troyohio.gov

MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight

DATE: March 10, 2017

SUBJECT: RENEWAL APPLICATION, PLACEMENT OF FARMLAND IN AGRICULTURAL DISTRICT – EMATT EMARI EMARC OHIO LTD FAMILY PART, EVELYN SHEAFER, GENERAL PARTNER

I have received the Renewal of Farmland in an Agricultural District application of EMATT EMARI EMARC Ohio Ltd Family Part, by Evelyn Sheaffer, General Partner. This is how the name appears on the application. The application is for 83.18 acres within the City of Troy, known as Parcel No. D08-104384 with an address of 2373 N. Washington Road. Agricultural District applications for this land were approved in 2007 and 2012.

This land has been in an Agricultural District since 2007. A re-application process is required every five years.

This application was filed with the County Auditor on March 7, 2017 in accordance with the Ohio Revised Code. If the property is within the corporate limits of a City, the request must also be approved by the municipality. The City is required to hold a public hearing within 30 days of the date the application is filed and Council must act on the application within 30 days of the public hearing. I have set the hearing for the April 3 meeting. The final date for Council consideration will be the Council meeting of May 1.

encl.

RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner **MUST FILE** a **RENEWAL** form **PRIOR TO** the **FIRST MONDAY IN APRIL** every fifth year with the MIAMI COUNTY Auditor

APPLICANT: EMATT EMARI EMARC
OHIO LTD FAMILY PART
2373 N WASHINGTON RD
TROY OH 45373 USA

Application No: 117
Original Year: 12/2007
Renewal Year: 2017

Description of Land as shown on Property Tax Statement: 5-7-1 SE pt SE (10.866) + 6-5-6 SW pt SW
5-7-1 S pt SE (44.964) 6-5-6 SW Cor SW (.023) 6-5-7 NW Cor NW (.013) (.417)
5-7-1 Cor pt SE (44.062) 6-5-6 W Cor pt SW (.938) Ac lots 9270

Location of Property: 3150 N. Washington Rd. ~ Washington Rd ~ 2373 N. Washington Rd.

1. Do you want to renew the real estate list below in the AG District program? ☒ YES ☐ NO
2. Does any of the land lie within a municipal corporation limit? ☒ YES ☐ NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? ☒ YES ☐ NO #1350
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? ☒ YES ☐ NO
5. If the total **acreage farmed** in this unit is **less than 10 acres**, show **gross income** produced from agricultural purposes for the **last three years**:

1. _____ 2. _____ 3. _____

TAX DIST	PARCEL NUMBER	ACRES
C06	C06-034000	11.28
C06	C06-034010	45.00
C06	C06-034030	45.00
at { D08	D08-104384	83.18
TOTAL ACRES		184.46

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application.

Ematt, Emari, Emarc by Carolyn Sheffer 3-7-17 937-335-7719
SIGNATURE OF OWNER DATE PHONE NUMBER
gen Portaw
MIAMI COUNTY Auditor Office - 201 W MAIN ST - TROY, OH 45373

RESOLUTION No. R-24-2017

Dayton Legal Blank, Inc.

**RESOLUTION APPROVING APPLICATION OF EMATT
EMARI EMARC OHIO LTD FAMILY PART TO RETAIN
LAND IN AN AGRICULTURAL DISTRICT**

WHEREAS, the City has received an application from EMATT EMARI EMARC Ohio Ltd Family Part (Evelyn Sheaffer, General Partner) to retain certain land EMATT EMARI EMARC Ohio Ltd Family Part owns in the City of Troy into the agricultural district, and

WHEREAS, the Council has conducted a hearing on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That the application of EMATT EMARI EMARC Ohio Ltd Family Part (Evelyn Sheaffer, General Partnership) for retention of land in an agricultural district of the real estate described in Exhibit A, attached hereto and made a part hereof, and further described as Miami County Auditor Parcel D08-104384, is hereby approved.

SECTION II: That the Clerk of Council is hereby authorized and directed to notify all parties required to be notified under Section 929.02 of the Ohio Revised Code, and to take all other action necessary to make sure that the land is properly classified.

SECTION III: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner **MUST FILE** a **RENEWAL** form **PRIOR TO** the **FIRST MONDAY IN APRIL** every fifth year with the MIAMI COUNTY Auditor

APPLICANT: EMATT EMARI EMARC
OHIO LTD FAMILY PART
2373 N WASHINGTON RD
TROY OH 45373 USA

Application No: 117
Original Year: 12/2007
Renewal Year: 2017

Description of Land as shown on Property Tax Statement: 5-7-1 SE pt SE (10.866) + 6-5-6 SW pt SW (1.417)
5-7-1 S pt SE (44.964) 6-5-6 SW pt SW (1.623) 6-5-7 NW pt NW (1.613)
5-7-1 NW pt SE (44.062) 6-5-6 W pt SW (.938) Area: 181.9270
Location of Property: 3150 N. Washington Rd. ~ Washington Rd ~ 2313 N. Washington Rd.

1. Do you want to renew the real estate list below in the AG District program? ☒ YES ☐ NO
2. Does any of the land lie within a municipal corporation limit? ☒ YES ☐ NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? ☒ YES ☐ NO #1350
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? ☒ YES ☐ NO
5. If the total acreage farmed in this unit is less than 10 acres, show gross income produced from agricultural purposes for the last three years:

1. _____ 2. _____ 3. _____

TAX DIST	PARCEL NUMBER	ACRES
C06	C06-034000	11.28
C06	C06-034010	45.00
C06	C06-034030	45.00
D08	D08-104384	83.18
TOTAL ACRES		184.46

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application.

Ematt, Emari, Emara by Carolyn Shepherd 3-7-17 937-335-7719
SIGNATURE OF OWNER DATE PHONE NUMBER
937-335-7719
MIAMI COUNTY Auditor Office - 201 W MAIN ST - TROY, OH 45373

RESOLUTION No. R-25-2017

Dayton Legal Blank, Inc.

**RESOLUTION DECLARING THE NECESSITY OF PHASE 10
OF THE SIDEWALK REPLACEMENT PROGRAM IN THE
CITY OF TROY, OHIO**

WHEREAS, the Council of the City of Troy has determined that there is a need to replace certain sidewalks in the areas along South Mulberry Street between East Ross Street and South Market Street; South Clay Street between East West Street and South Market Street; along South Crawford Street between East West Street and Young Street; East West Street between South Clay Street to the CSX Railroad; and East Ross Street and Enyeart Street between South Mulberry Street and South Clay Street in the City of Troy, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

SECTION I: That it is necessary to implement Phase 10 of the Sidewalk Replacement Program and to replace certain sidewalks in the areas along South Mulberry Street between East Ross Street and South Market Street; South Clay Street between East West Street and South Market Street; along South Crawford Street between East West Street and Young Street; East West Street between South Clay Street to the CSX Railroad; and East Ross Street and Enyeart Street between South Mulberry Street and South Clay Street in the City of Troy, Ohio.

SECTION II: That the plans, specifications and estimates of cost for the construction and/or repair now on file in the office of the Clerk are approved.

SECTION III: That the owners of each lot and parcel of land bounding and abutting on the proposed sidewalks shall construct and/or repair that portion of the sidewalk which abuts his property or have a permit issued by the City for such work by June 30, 2017, in accordance with the plans and specifications filed in the office of the Clerk, and after service of notice of the passage of this Resolution.

SECTION IV: That in the event any such abutting property owner does not complete the construction and/or repair of that portion of such sidewalk which abuts the property, in accordance with the plans and specifications and within the time prescribed above, this Council will cause the work to be done and the entire cost assessed on the property of the abutting property owner.

SECTION V: That the Clerk of Council is directed to serve notice of the passage of this Resolution on the owners of the lots and lands abutting on the sidewalks as provided by law.

SECTION VI: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor



MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: February 8, 2017

SUBJECT: REPORT OF THE PLANNING COMMISSION - PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO MEDICAL MARIJUANA

At the February 8, 2017 meeting of the Troy Planning Commission, the Commission reviewed a recommendation from City Staff (attached hereto) that the Planning Commission now recommend that Troy City Council establish a City-wide ban on cultivating, processing, or the retail dispensing of medical marijuana.

As was reviewed by the Commission, Council has established a second 180 day moratorium related to cultivating, processing and dispensing medical marijuana so that there would be time to consider if amendments to the zoning code should be recommended to respond to the new state law permitting certain functions related to medical marijuana -- Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. The review at the February 8 meeting followed legislation not being adopted by Council based on the Commission's prior recommendation that there be a City-wide ban on the cultivating and processing of medical marijuana and that retail dispensaries be limited to a total of three but only within the B-4 Zoning District. The Troy Planning Commission determined not to hold a public hearing on these proposed amendments to the Zoning Code related to medical marijuana. The Commission also determined to separate a recommendation on the subject of a City-wide ban on cultivating and processing from that of retail dispensing.

CULTIVATING AND PROCESSING OF MEDICAL MARIJUANA.

By unanimous vote the Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish a City-wide ban on cultivating and processing medical marijuana within the City of Troy, as recommended by City Staff.

DISPENSING OF MEDICAL MARIJUANA.

The Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish the number of permitted retail dispensaries of medical marijuana to one in the City of Troy, provided that any such dispensary may only be located in the B-4 (Highway Service Business District) zoning district. This motion passed by a vote of five to one (one member was absent).

Council's public hearings on these Zoning Code amendments will be held at the March 20 meeting.

This matter is forwarded herewith for consideration of Troy City Council.

encl.



MEMORANDUM

TO: Troy Planning Commission

FROM: Tim Davis, Assistant Development Director

DATE: February 8, 2016

SUBJECT: Recommendation Regarding Medical Marijuana

RECOMMENDATION:

In order to preserve the public peace, health, and safety of Troy, Ohio, Planning Commission considers a city-wide ban on cultivators, processors, and retail dispensaries as defined by Chapter 3796 of the Ohio Revised Code.

BACKGROUND AND DISCUSSION:

In June, Ohio became the 25th state to enact legislation allowing for the medicinal use of marijuana by approving House Bill 523. This bill enacted Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. Chapter 3796 authorizes the use of marijuana for medical purposes and establish the Medical Marijuana Control Program, which allows people with certain medical conditions, upon the recommendation of an Ohio-licensed physician certified by the State Medical Board, to purchase and use medical marijuana.

There are many aspects to the Chapter 3796 of the O.R.C but the following are requirements of the program that impact municipalities:

Zoning

- Authorizes the legislative authority of a municipal corporation or a board of township trustees to adopt regulations to prohibit or allow retail dispensaries, cultivators, and processors.
- Prohibits a cultivator, processor, retail dispensary, or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground, or public park.

On July 18, 2016, Troy City Council approved Ordinance O-36-2016, which provided a moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On August 10, 2016, Planning Commission discussed placing a ban on retail dispensaries, cultivators, and processors as defined by Chapter 3796 of the Ohio Revised Code, but members questioned whether it may be in the best interest to allow a limited number of dispensaries

instead of banning them completely. It was decided to table the issue until a full representation of the Planning Commission was available.

On September 14, 2016 Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- A maximum of five marijuana retail dispensaries throughout the city, provided:
 - Location is permitted only within a B-1 (Local Retail District), B-2 (General Business District) or B-4 (Highway Service Business District) zoning district; and
 - Location is **not** permitted within the B-3 (Central Business District) zoning district; and
 - Location is **not** permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

From October through November, City Council held several meetings regarding this issue and made amendments to Planning Commission's recommendations including the reduction of marijuana retail dispensaries from five to three to zero. On November 21, 2016, City Council failed to approve any legislation related to marijuana cultivators, processors and dispensaries.

On December 5, 2016, City Council approved Ordinance O-59-2016, which provided another moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On December 14, 2016, Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- Allow a maximum of three marijuana retail dispensaries throughout the city, provided:
 - Location is permitted only within a B-4 (Highway Service Business District) zoning district; and
 - Location is **not** permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

On February 6, 2017, City Council failed to approve the Planning Commission's recommendation related to marijuana cultivators, processors and dispensaries. This issue comes back to the Planning Commission for a discussion and recommendation to City Council.

To recap, Planning Commission and City Council agree that a city-wide ban on cultivators and processors are needed. The issue is whether or not to allow retail dispensaries inside city limits. Planning Commission has recommended to City Council a maximum of three and a maximum of five retail dispensaries, both of which were not adopted by City Council. Members of City Council stated they voted against Planning Commission's most recent recommendation because they wish to not allow any retail dispensaries within the City of Troy. Based upon this statement and the direction of City Council's previous actions, staff is proposing a city-wide ban

on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.

REQUESTED ACTION:

It is requested that Planning Commission recommend to City Council a city-wide ban on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.

ORDINANCE No. O-8-2017

Dayton Legal Blank, Inc.

AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

WHEREAS, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to cultivators and processors of Medical Marijuana and has recommended approval of said amendments; and

WHEREAS, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

WHEREAS, Troy City Council has reviewed the Zoning Code of the City of Troy, Ohio and determined that appropriate changes are necessary; and

WHEREAS, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of cultivators and processors of medical marijuana within the corporate limits.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

SECTION I. That Section 1149.13 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

"Section 1149.13 Prohibition of Medical Marijuana Cultivation and Processing: No person or entity shall establish or maintain land, buildings, or premises for the use of medical marijuana's cultivation or processing. For purposes of this section, "medical marijuana cultivator," and "medical marijuana processor", shall be defined as set forth in Chapter 3796 of the Ohio Revised Code as amended from time to time".

SECTION II. That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

ORDINANCE No. O-9-2017

Dayton Legal Blank, Inc.

AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

WHEREAS, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to retail dispensaries, cultivators, and processors of Medical Marijuana and has recommended approval of said amendments; and

WHEREAS, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

WHEREAS, Troy City Council has reviewed Section 1143.16 of the Zoning Code of the City of Troy, Ohio and other provisions of the Zoning Code of the City of Troy, Ohio, and determined that appropriate changes are necessary; and

WHEREAS, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of retail dispensaries of medical marijuana within the corporate limits.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

SECTION I. That Section 1149.14 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

"Section 1149.14 Medical Marijuana Dispensaries:

- (a) That a maximum limit of one (1) Medical Marijuana dispensary as defined by Chapter 3796 of the Ohio Revised Code may be permitted within the corporate limits of the City of Troy, Ohio.
- (b) That Medical Marijuana dispensaries, as defined by Chapter 3796 of the Ohio Revised Code, may not be permitted within the Historic District of the City of Troy, Ohio, as defined by the Zoning Code of the City of Troy, Ohio, regardless of zoning classification."

SECTION II. That Section 1143.16(b) of the Zoning Code of the City of Troy, Ohio is amended to include a new subsection as follows:

"1143.16(b) Principal Permitted Uses.

"Medical Marijuana dispensaries".

SECTION III. That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

ORDINANCE No. O-10-2017

Dayton Legal Blank, Inc.

**ORDINANCE GRANTING PIPELINE EASEMENT TO
VECTREN ENERGY DELIVERY OF OHIO, INC.**

WHEREAS, Vectren Energy Delivery of Ohio, Inc. has requested that the City of Troy, Ohio grant a 10' wide Pipeline Easement associated with the maintenance of a gas main installed by Vectren Energy Delivery of Ohio, Inc. to serve properties along East Main Street between South Walnut Street and South Mulberry Street, and

WHEREAS, the City of Troy has no objection to the granting of such easement

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, as follows:

SECTION I: That the Vectren Energy Delivery of Ohio, Inc. Grant for Pipeline Easement for Parcel No. D08 250119 and Parcel No. D08 250125, as described within the Grant for Pipeline Easement document attached hereto as Exhibit "A" and made a part hereof, presented to Council and now on file with the Clerk of Council, is hereby approved.

SECTION II: That the proper officials of the City of Troy, Ohio are hereby authorized to execute such documents as necessary to complete the Grant for Pipeline Easement.

SECTION III: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

**VECTREN ENERGY DELIVERY OF OHIO, INC.
GRANT FOR PIPELINE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS

THAT The City of Troy, Ohio

Grantor(s) for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants and warrants to Vectren Energy Delivery of Ohio, Inc., an Ohio corporation, 4285 N. James McGee Blvd., Dayton, Ohio 45427 (hereinafter called "Grantee"), do(es) hereby grant, unto the Grantee, and its successors and assigns forever, an easement for any and all purposes for which natural, artificial and/or liquefied petroleum gas, and/or any other liquefied or gaseous substance is now or may hereafter be used, and also, to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace either underground or above, all appurtenant valves, anodes, pipeline(s), drips, regulators, pits, and all other necessary and incidental appurtenances contained in, over, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Parcel No. D08 250119

Situate in the City of Troy, Miami County, Ohio, and being a 10.00 feet wide easement upon a tract of land conveyed to the City of Troy, Ohio, being part of Inlot 48 and Part of Inlot 49 by deed recorded in Book 644, Page 288 of the deed records of said county, said easement being more particularly described and shown on Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

Parcel No. D08 250125

Situate in the City of Troy, Miami County, Ohio, and being a 10.00 feet wide easement upon a tract of land conveyed to the City of Troy, Ohio, being part of Inlot 54 by deed recorded in Book 408, Page 426 of the deed records of said county, said easement being more particularly described and shown on Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

The Grantee, its successors and assigns, its agents, contractors and employees will have the right of ingress and egress over the easement and the adjoining premises of The Grantor for all purposes previously stated, together with the right to trim, cut, and remove or otherwise control trees, roots, undergrowth or overhanging branches or other obstructions both within the limits of

Page 1 of 3

the easement which according to The Grantee's standards and its opinion may interfere with the construction, maintenance, use or successful operation of the gas pipeline facilities.

No buildings or other structures shall be erected within the limits of the said easement by The Grantor(s). No excavating or filling shall be done or be permitted by The Grantor within the easement that would either (A) reduce or add to the distance between The Grantee's facilities and the land surface without The Grantee's prior written consent and which consent will not be unreasonably withheld, (B) impair The Grantee's ability to maintain the facilities or (C) create a hazard. If grantor needs to change grade Vectren is willing to adjust its pipe depth at grantor's expense at reasonable notice.

Grantor may use the easement strip for purposes which are not inconsistent with the safe operation of Grantee's facilities (including Grantee's access thereto) and which will not interfere with the rights and privileges granted to Grantee by the Gas Line Easement.

The Grantee, its successors and assigns, shall reimburse The Grantor(s) for any damage or loss to growing crops and other property damages that may be caused by The Grantee, its agents, contractors or employees in construction, repair or removal of said gas pipeline facilities.

The Grantor(s) covenant with The Grantee, that they is/are the true and lawful owners of the property herein described and have full power and authority to grant this easement.

The grant of easement shall run with the land and be binding on and inure to the benefit of the parties, their heirs, successors, and assigns.

As used herein, words in plural number include words in the singular number.

Page 2 of 3

DATED this _____ day of _____, 20____.

The City of Troy, Ohio

Signature _____

Signature _____

Print Name _____

Print Name _____

Title _____

Title _____

STATE OF _____

COUNTY OF _____

} ss:

Personally appeared before me this day The City of Troy, Ohio,
by _____, its _____, and
by _____, its _____, and
who acknowledged the execution of the above instrument to be their voluntary act and deed.

Notary Public

(typed or printed name) _____

My commission expires: _____



Judge Engineering Company

Professional Engineers and Surveyors • Consultants

EXHIBIT A

Description 10' Wide Vectren Easement
City of Troy, Miami County, Ohio
Parcel ID: D08 250119

Situate in the City of Troy, Miami County, Ohio, and being a 10.00 feet wide easement upon a tract of land conveyed to the City of Troy, Ohio, being part of Inlot 48 and Part of Inlot 49 by deed recorded in Book 644, Page 288 of the deed records of said county, said easement being more particularly described as follows;

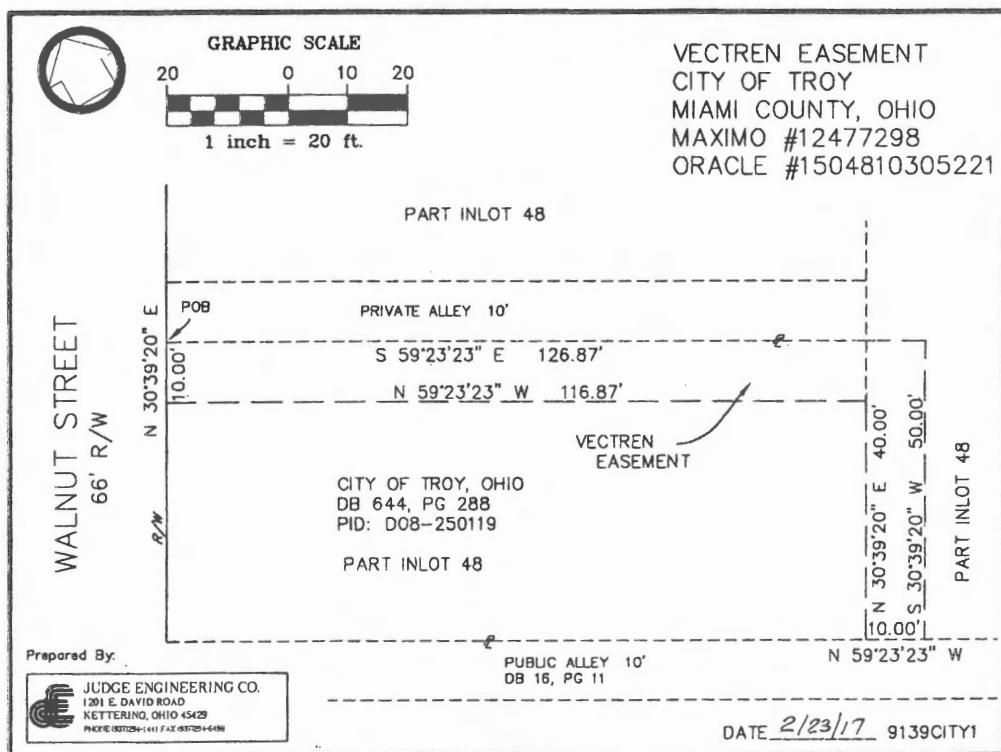
Beginning at the northwest corner of said City of Troy, Ohio tract;

Thence from said point of beginning S 59° 23' 23" E a distance of 126.87 feet to a point;
Thence S 30° 39' 20" W a distance of 50.00 feet to a point;
Thence N 59° 23' 23" W with the southern line of Inlot 49 and the northern line of a 10' wide public alley a distance of 10.00 feet to a point;
Thence N 30° 39' 20" E with the western line of Inlot 49 and the eastern line of Inlot 48 a distance of 40.00 feet to a point;
Thence N 59° 23' 23" W a distance of 116.87 feet to a point;
Thence N 30° 39' 20" E with the eastern right-of-way of Walnut Street, also being the western property line of Inlot 48 a distance of 10.00 feet to a point and the terminus of the herein described easement.



Raymond B. Mefford
Registered Surveyor No. 7367
Date: 2/23/17

1201 East David Road • Kettering, Ohio 45429 • (937) 294-1441 • FAX (937) 294-6498
E-Mail: judge@judgeengr.com • Web Site http://www.judgeengr.com
9139-CITY-1





Judge Engineering Company

Professional Engineers and Surveyors • Consultants

EXHIBIT A

Description 10' Wide Vectren Easement
City of Troy, Miami County, Ohio
Parcel ID: D08 250125

Situate in the City of Troy, Miami County, Ohio, and being a 10.00 feet wide easement upon a tract of land conveyed to the City of Troy, Ohio, being part of Inlot 54 by deed recorded in Book 408, Page 426 of the deed records of said county, said easement being more particularly described as follows;

Beginning at the northeast corner of said City of Troy, Ohio tract;

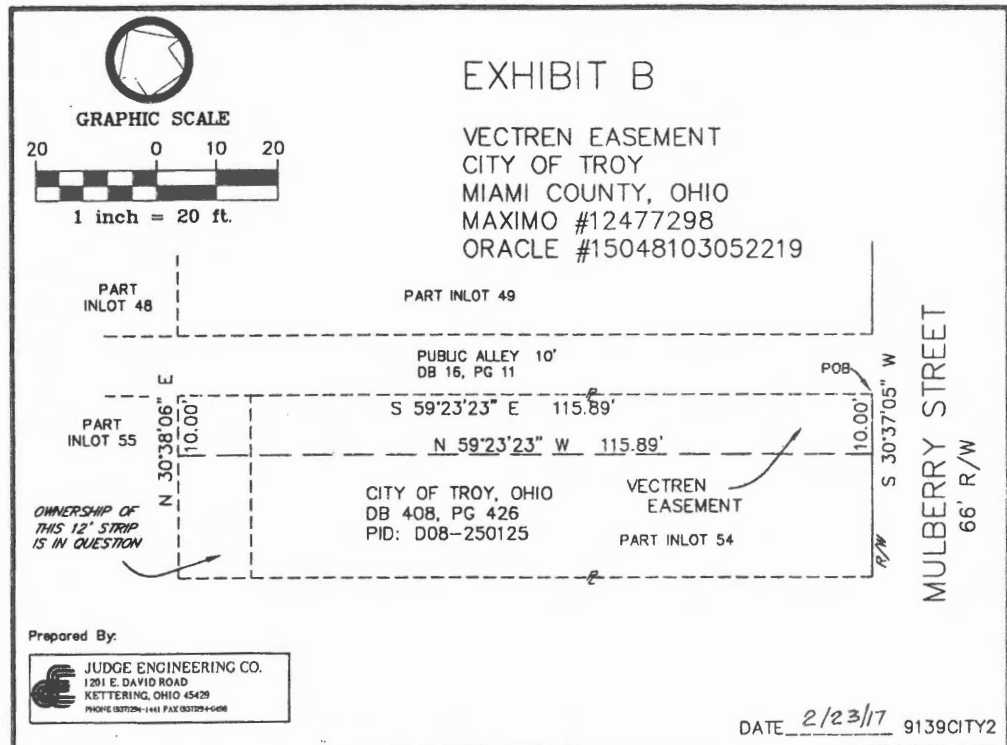
Thence from said point of beginning S 30° 37' 05" W with the west right-of way of Mulberry Street and the eastern property line of Inlot 54, a distance of 10.00 feet to a point;
Thence N 59° 23' 23" W a distance of 115.89 feet to a point;
Thence N 30° 38' 06" E with the west property line of Inlot 54 and the eastern property line of Inlot 55, a distance of 10.00 feet to a point;
Thence S 59° 23' 23" E with the northern property line of Inlot 54 and the southern line of a 10' wide public alley, a distance of 115.89 feet to a point and the terminus of the herein described easement.



Ray B. Mefford
Raymond B. Mefford
Registered Surveyor No. 7367
Date: 2/23/17

1201 East David Road • Kettering, Ohio 45429 • (937) 294-1441 • FAX (937) 294-6498
E-Mail: judge@judgeengr.com • Web Site http://www.judgeengr.com

9139-CITY-2





City of Troy

ITEMS OF INTEREST

TO: Mayor Beamish
Mrs. Baker, President of Council
Council Members

FROM: Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in blue ink, likely belonging to Patrick E. J. Titterington, the Director of Public Service and Safety.

DATE: March 31, 2017

We are providing the following for your information:

- Major Project Update:
 - Hobart Arena Renovation and Expansion – The renovation began on February 29, 2016. Project has reached substantial completion with some punch list items yet to be completed. Effective March 13 walking was again permitted.
 - Extra High Service (EHS) Water Tower – When the construction was halted for the winter season the tower bowl was visible to the west of the existing Stanfield tower. Construction has again started. Substantial completion is estimated for the Fall of 2017.
- Council authorized bidding the South Stanfield Road Storm Sewer Project at a cost not to exceed \$125,000. Ten bids were received. The contract has been awarded to T.C. Holzen, Inc. of Troy, OH, the lowest and best bidder in the amount of \$68,770.75.
- Recreation Director Ken Siler reported there were slightly under 1,000 in attendance at the Signs of Life- The American Pink Floyd Concert on March 25.

Upcoming Events at Hobart Arena

April 1	World Championship Ice Racing
April 9	Best of John Williams- Dayton Philharmonic Orchestra
April 29	Dayton Feis Irish Dance Competition
May 6	Queensryche
May 25	Upper Valley Career Center Graduation
May 26	Miami East Graduation
May 27	Troy High School Graduation
May 28	Covington High School Graduation

Calendar of Meetings

Apr. 3	7:00 p.m.	Council	City Hall Council Chambers
Apr. 4	4:00 p.m.	Park Board	City Hall
Apr. 12	3:30 p.m.	Planning Commission	City Hall
Apr. 17	7:00 p.m.	Council	City Hall Council Chambers
Apr. 19	4:00 p.m.	Rec Board	Hobart Arena
Apr. 26	3:30 p.m.	Planning Commission	City Hall
May 1	7:00 p.m.	Council	City Hall Council Chambers
May 2	4:00 p.m.	Park Board	City Hall

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



**Operations
Items of Interest
March 31, 2017**

Street/Solid Waste – Jerry Mullins, Foreman

- Collected and transported 216 tons of residential trash since the last report of 230 tons.
- Handled one recycling complaints and 13 trash complaints.
- Collected several compliant brush piles and T-bags.
- Made 16 pothole repairs with our infrared machine and cold mix.
- Dye Mill Road Compost Facility continues to be very busy.
- Started delivery of our new 65 gallon trash carts. All of the carts will be delivered by April 21, with the first day of the new automated collection process starting May 1. We are already receiving calls from some citizens regarding the carts. Those with questions about the new program can call Jerry Mullins at (937)335-1914 ext. 1225.
- The tentative opening date of the asphalt plant of April 10.

Electrical – Brian Ferree, Foreman

- Completed Ohio Utilities Protection Service requests as needed.
- Department completed the monthly safety report for April.
- Finished installing the control wiring for the garage doors at Fire Station #2.
- Installed the underground electrical conduit to supply power to the new Archer Park restroom.
- Assisted the wastewater plant with installing a new pump at the Trader Lift Station.
- Installed six new outside lights at the maintenance facility.

Water Distribution/Sewer Maintenance - Tom Parsons, Foreman

- Marked numerous Ohio Utilities Protection Service tickets.
- Worked on numerous work orders for Billing and Collection.
- Completed non-pay shut-offs and reconnected them as they were paid.
- Investigated numerous high consumption alerts.
- Upgraded water services at residences on E. Canal St. and E. Water St.
- Repaired meter box at a residence on Stonyridge Ave.
- Installed a 2" tap at Rapid Fire Pizza.
- Replaced a catch basin in on Saratoga Dr.
- Jetted the storm lines on N. Market St. and Denby Pl.
- Checked a sewer call at a residence on W. Race St. and we jetted the line.
- Dug the trench and assisted the electricians with conduit install for Archer Park restroom.

Water Treatment Plant – Jeff Monce

- Reagent Technologies began removal of lime residuals from the west lagoon on March 20. Work will shift to the east lagoon on April 3 and continue into May until 6000 dry tons have been removed.
- MIS and WTP staffs are installing several wireless transceivers to create continuous communication with the SCADA system from all locations inside the WTP.
- The drainage system project has been completed by staff and should end flooding of loading dock and elevator pit.
- Both air stripper transfer pumps have been descaled, inspected and reassembled.
- Production Well 19 and the Herrlinger and Barnhart Tower chlorine sampling systems are back online. This equipment is turned off every winter to eliminate damage from low temperatures.
- Asst. Superintendent Ralph Walter is attending the Center for Local Government's Leadership Academy training course.
- 2016 Consumer Confidence Report (CCR) data has been sent to Miami County and West Milton to comply with OEPA requirements.

Wastewater Treatment Plant – Mitch Beckner

- Every year students from the schools in the area visit the Troy Wastewater Treatment Plant as part of the Miami County Park District Watershed Program. In an effort to improve public outreach and education, staff consulted with the school representatives regarding tailoring the tours and presentations so that they better match the objectives and subject material of the students. As a result of this conversation, future tours will include information on the history of wastewater treatment, how the water gets cleaned, where it goes after it is cleaned, and include information on ways people make it difficult or impossible to clean the water and what the students can do to help.
- On April 4 and 5 the OEPA will be conducting an audit of Troy's Municipal Industrial Pretreatment Program (MIPP). The MIPP is the program which regulates wastes discharged into the sanitary sewer system by permitted industries within the City. Audits of the program occur approximately every three years and include a review of our records as well as an inspection of one of Troy's local industries. We do not anticipate any issues arising during the audit and are looking forward to demonstrating our recently established electronic recordkeeping system.
- We recently worked with the Engineering and Auditors offices regarding the procedure for processing of payments for MIPP testing. This testing is initially paid for by the City but, as explained in the City Ordinances, the parties tested are responsible for reimbursing the City for these costs.

**Items of Interest
Engineering Department
March 29, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
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PUBLIC WORKS AND CITY FACILITY PROJECTS

2014-16	Hobart Arena Renovation and Expansion	MSA Architects designed this project. Monarch Construction, Inc. is the general contractor. The project has reached substantial completion with some punch list items still being addressed. Walking is open to the public.
2014-17	Marina & Boathouse Renovation	Final inspections were completed and approved. Final punch list and retainage release is ongoing.
2014-12	Extra High Service (EHS) Water Tower	The Water Tower project has been awarded to CB&I Constructors, Inc. The tower bowl can be seen to the west of the existing Stanfield Tower. Construction is beginning again. Completion is estimated for the Fall.
2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	Final assessment ordinance was approved by Council. Property owners were notified of their shares of the cost. Those not paid directly to the City will be assessed to the property taxes. Bills are due by the end of March. Reimbursement from ODOT was received.
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Easement requests are being coordinated with the property owners. Final design is completed and coordination with the developer is anticipated by the end of 2017.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. A PO was issued for the engineering consulting work. Staff continues right-of-way acquisition with MCD, CSX, Troy schools and a couple of other property owners.
2014-08	McKaig Road Improvements Phase 3	This phase included work from Madison Street (RR tracks) to the alley west of Lake Street (end of Heywood Elementary property). Finrock Construction Co. was awarded the project at a cost not to exceed \$1,170,000.00. Base asphalt has been placed between Ridge and Madison Street (RR tracks). Construction is completed and retainage is released. The project is closed out other than a final bill from the engineer and OPWC reimbursement received.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Avenue. Council authorized Choice One Engineering Corporation to design the project. Construction is anticipated to occur in 2017. Design is progressing with bidding anticipated in early 2017. A Resolution of Necessity for sidewalk assessments will be requested for Council consideration.
2015-34	West Main Street Corridor Study from I-75 to Cherry Street	This project analyzes West Main Street between I-75 and downtown for capacity and multiple modes of transportation in order to improve safety. Council authorized an agreement with Strand Associates, Inc. Data collection phase and analysis of the street has begun. A progress meeting occurred with some cross section options throughout the corridor for the project area.
2016-09	Miami Shores Clubhouse Renovation	Request for Proposal (RFP) are being reviewed and interviews occurred. Further investigation and questions to the consultants is ongoing prior to making a final recommendation to Council.

**Items of Interest
Engineering Department
March 29, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
2016-12	Waterline Replacement Program	Access Engineering designed waterline improvements in the following locations in the City: Franklin Street between Oak Street and East Main Street, on Ellis Street between Franklin Street and Race Drive, and on South Counts Street between Martin Street and East Main Street. Finrock Construction Co. was awarded the contract. Construction is estimated to begin in May/June.
2016-17	South Stanfield Stormwater Extension	Choice One Engineering Corporation designed this project. Staff recommended TC Holzen, Inc. as the lowest and best contractor and a contract has been awarded.
2016-26	West Milton Regionalization Phase 2	Council authorized the next phase of the project for additional analysis and breakdown of the City acquiring, operating and maintaining West Milton's water system. A meeting for review of existing analysis and assumptions occurred with Troy staff and West Milton. The previous water study assumptions are being reviewed and updated.

ANNUAL PROJECTS

	Paving Program 2017	Staff has begun updating and reviewing streets throughout the City in need of resurfacing for 2017. Staff will be requesting authorization to bid the paving program.
	Sidewalk Program 2016	Contract quantities were obtained/measured for the 2016 sidewalk repair program, which is located in the following location: areas along S. Plum St., S. Cherry St., S. Walnut St. and S. Mulberry St. between Main St. and Franklin St.; S. Market St., S. Walnut St. and S. Mulberry St. between E. Franklin St. and E. Canal St.; and the area encompassed by S. Market St., E. West St., S. Clay St., Ross St., and S. Mulberry St. which include the following streets Young, Enyeart and Dakota. LJ DeWeese Co, Inc. is the contractor. Contractor has begun spring construction season in project area.
	Sidewalk Program 2017	Phase 10 includes the areas along S. Mulberry St. between E. Ross St. and S. Market St.; S. Clay St. between E. West St. and S. Market St.; along S. Crawford St. between E. West St. and Young St.; E. West St. between S. Clay St. to CSX Railroad; and East Ross and Enyeart between S. Mulberry St. and S. Clay St.. Staff is requesting a resolution of necessity be passed for repair/replacement of deteriorated sidewalks.
	ADA Curb Ramps	ADA ramps will be replaced in the approximate location of the 2016 Sidewalk Program. Council authorized bidding of the ADA Curb Ramps utilizing CDBG Funds. Project will be advertised.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Corporation (COEC) to update the standards. A review meeting occurred and updates are being completed by COEC. Staff and COEC are exchanging markups to finalize set.
	Sensus Analytics Controlled Launch	Pilot testing is ongoing and coordination continues with Sensus and CMI. Sensus training occurred in the last couple of weeks. Awaiting Sensus to work out final bugs before going live.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren bare steel/cast iron gas main replacement work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Driveway, Water, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested with replacements and new development.

**Items of Interest
Engineering Department
March 29, 2017**

PROJ # PROJECT TITLE PROJECT STATUS

SUBDIVISION PROJECTS

2016-10	Stonebridge Meadows	Section 2 and Section 3 construction has intermediate asphalt and punch list items being completed for final asphalt. Section 4 contractor has intermediate asphalt placed and house construction is progressing. Staff has been notified that Section 5 will be proposed in the coming months.
2016-02	Legacy Grove	A developer has submitted revised final plat of land along McKaig Road east of Concord Elementary School. Staff reviewing for return to developer. Council accepted Right-of-Way as part of this development along McKaig Road.
2015-07 2016-15 2016-25	Halifax	Section 1 construction is complete. House construction is ongoing. Staff is awaiting feedback for lighting options with the developer. Section 2 and Section 3 approved by Council. Escrow agreement and fees are being worked out.
2015-06	Nottingham	Developer requested that Section 8 be closed out; contractor is completing the punch list. Section 9 has intermediate course of asphalt placed and house construction is progressing. Section 10 is beginning design and will go to Planning Commission in the next month or two.
2012-08	Edgewater	Section 7 has obtained final course of asphalt, and final buildout is close to completion. Section 8 has intermediate asphalt. Housing construction has begun.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch list has been created and forwarded to the developer in order to attempt to complete the subdivision. Staff has reached out to the developer to encourage completion of the development without the assessment process. Staff is formulating a letter to the developer.



City of Troy

Timothy E. Davis
Assistant Development Director
WWW.TROYOHIO.GOV
100 South Market Street
Troy, Ohio 45373
phone: (937) 339-9481/fax: (937) 339-9341

MEMORANDUM

TO: Patrick E.J. Titterington, Director of Public Service and Safety

FROM: Tim Davis, Assistant Development Director

DATE: March 30, 2017

SUBJECT: *Items of Interest Report*

I have attached two reports which summarize concerns that are being addressed by the Economic Development Department from March 16, 2017 to March 30, 2017.

The first report shows all permits that were issued. The permits have been separated by the wards of which they fall. There were 18 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going violations. Both open and closed concerns are listed. These concerns are separated by the wards of which they fall. There were 10 violations addressed during this time period.

All costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. Should the property owner fail to pay the invoice, the cost will be assessed to the property taxes.

Permit Activity Report

3/16/2017 - 3/30/2017

Project Address	Ward	Permit Type	Description	Assigned To	Permit Date	Total Fees
1152 RED MAPLE DR	1	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	3/29/2017	\$92.22
1132 RED MAPLE DR	1	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	3/29/2017	\$93.58
1060 BARRINGTON DR	1	Fence Permit	FENCE	Shannon Brandon	3/21/2017	\$10.00
6 E MAIN ST	2	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/29/2017	\$25.00
6 E MAIN ST	2	Change of Occupancy	OCCUPANCY	Shannon Brandon	3/29/2017	\$50.00
3321 HEATHERSTONE DR	2	Fence Permit	FENCE	Shannon Brandon	3/27/2017	\$10.00
836 W MAIN ST	2	Tent Permit	TENT	Shannon Brandon	3/24/2017	\$50.00
215 N ELM ST	2	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/23/2017	\$25.00
214 S MULBERRY ST	2	Sign Permit-Permanent	WALL SIGN PERMIT	Shannon Brandon	3/22/2017	\$32.68
214 S MULBERRY ST	2	Change of Occupancy	THE ACADEMY OCC	Shannon Brandon	3/22/2017	\$50.00
511 W RACE ST	3	Change of Occupancy	OCCUPANCY	Shannon Brandon	3/29/2017	\$25.00
15 S MARKET ST	3	Sign Permit-Permanent	WINDOW SIGN PERMIT	Shannon Brandon	3/23/2017	\$31.00
15 S MARKET ST	3	Change of Occupancy	OCCUPANCY	Shannon Brandon	3/20/2017	\$50.00
502 SUMMIT AVE	5	Fence Permit	FENCE	Shannon Brandon	3/28/2017	\$10.00
502 SUMMIT AVE	5	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/28/2017	\$25.00
2602 ST ANDREWS DR	6	Zoning-Accessory-Residential	DECK	Shannon Brandon	3/28/2017	\$25.00
3286 HEATHERSTONE DR	6	Zoning-Accessory-Residential	16 X 20 DECK	Shannon Brandon	3/20/2017	\$25.00
684 WILLOW POINT CT	6	Zoning-Accessory-Residential	PATIO	Shannon Brandon	3/16/2017	\$25.00
TOTALs						\$654.48

Total Records: 18

Violation Activity Summary

3/16/2017 - 3/30/2017

Case #	Case Date	Assigned To	Site Address	Ward	Type of Violation	Status	Description
20170133	3/23/2017	Gregg Harris	803 MEADOW LN	1	TRASH & DEBRIS	Open	3-21-17 Followed up on trash complaint, took pic of trash on side of house on 3/21; sending cert ltr on 3/23; Talked with Angie Cline informed her of trash pickup for cardboard, and she stated the site was cleaned up days ago.
20170134	3/24/2017	Shannon Brandon	913 ARROW DR	2	ZONING PROBLEM	Open	3-24-17 sb In the area with Neil looking at drainage. Notice this house has a deck on the side/back of house that looks close to the property line. No permit was ever applied for or received. Sending certificate, follow up 4-26-17. 3-28-17 sb Kelly from Keystone tel. They built the deck on when they built the house. I told her to give me a revised site plan showing the deck and how far it is from the side property line.
20170131	3/22/2017	Tim Davis	275 Riverside Dr	2	TRASH & DEBRIS	Closed	3-16-17 td, received a complaint regarding trash on the property. After inspection, no violation notice was warranted. Close
20170126	3/16/2017	Shannon Brandon	914 N MARKET ST	2	SIGN VIOLATION	Open	3-16-17 sb Sending friendly letter about Development ID sign. Other than the Marsh sign, all of the faces of the former businesses have been turned or whited out. However, at night, when the sign is illuminated, you can read the names of the former businesses. Sent letter to remove the faces so they are not visible when lit, or turn the sign off. Follow up 3-31-17
20170137	3/27/2017	Gregg Harris	702 E FRANKLIN ST	3	BRUSH LETTER	Open	Noticed brush left at curb. Sent letter for follow-up next week.
20170130	3/14/2017	Tim Davis	309 S CHERRY ST	3	TRASH & DEBRIS	Closed	3-22-17 Appears to have set furniture and building material in the yard behind the sidewalk. Letter sent Cert. of Mailing to homeowner. Follow-up 3-22-17. 3-21-17, Text Jerry Mullins to see if he would remove the items as they have been placed along the curb and building material was removed. 3-23-17, homeowner called and stated the items would be removed this weekend.
20170132	3/16/2017	Tim Davis	116 Terrace Pl.	3	TRASH & DEBRIS	Open	3-16-17 received an email about the Railroad leaving debris along the tracks. Sent this to our railroad contractor to remove. It should be removed in two weeks. Reinspect 3-31-16. 3/24 our contractor called and removed all the items that he could. Some chunks of concrete were too large for him to remove. Working with Jerry to get the last few pieces removed.
20170138	3/28/2017	Shannon Brandon	1660 W MAIN ST	5	SIGN VIOLATION	Closed	3-27-17 sb Spoke with Maria the manager. They had 2 blade signs that are not permitted. Asked her to remove them, she said she would. Close.
20170128	3/17/2017	Tim Davis	1036 MAYFAIR RD	5	TRASH & DEBRIS	Closed	3-16-17 td Large pile of household items placed by the street. The Street Dept. informed me that this items are unacceptable and will not be picked-up. Letter sent by certificate of mailing. Follow-up 3-23-17. 3-22-17. Trash has been removed.
20170139	3/28/2017	Shannon Brandon	2900 CORPORATE DR	6	SIGN VIOLATION	Closed	3-27-17 sb Spoke with Whitney, Office Manager. They had an A frame temp sign in the ROW. Explained to her that temp signs can only be banners on a building and no signs in the ROW. She removed while I was there. Close.

APRIL 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1 ICE RACING
2 ICE OFF	3 ICE OFF AND REMOVE GLASS	4 CLEAN FLOOR AND PUT DOWN RAMPS 6:00-10:00PM WGI	5 WGI 10:00AM - 12MIDNIGHT	6 WGI 6:00AM - 8:00PM	7 WGI 6:00AM-8:00PM ONYX 8:15-12MIDNIGHT	8 WGI 6:00AM - 2:00PM 2:30PM START SETTING UP FOR CONCERT
9 DAYTON PERFORMING ARTS CONCERT	10 TEAR DOWN FROM CONCERT AND PUT DOWN TURF	11 PAINT LINES ON TURF & SPRAY TURF WITH ANTI-BACTERIAL SPRAY	12	13	14	15
16	17	18 WGI 6:00PM - 12MIDNIGHT	19 PARADIGM 9:00AM-3:00PM WGI 4:00PM-12MIDNIGHT	20 WGI 8:00AM - 8:00PM	21 WGI 8:00AM - 8:00PM	22 WGI 8:00AM - 8:00PM
23 WGI 6:00AM - 12NOON	24 5:30-6:15PM 4 YR COED SOCCER 6:30-7:15PM BOYS 5&6 SOCCER 7:30-8:15PM BOYS 7&8 SOCCER	25 6:00-6:45PM GIRLS 5&6 SOCCER 7:00-7:45PM GIRLS 7&8 SOCCER	26 5:30-6:15PM 4 YR COED SOCCER 6:30-7:15PM BOYS 5&6 SOCCER 7:30-8:15PM BOYS 7&8 SOCCER	27 6:00-6:45PM GIRLS 5&6 SOCCER 7:00-7:45PM GIRLS 7&8 SOCCER TAKE TURF UP	28 START SETTING UP FOR IRISH DANCE COMPETITION LOAD IN 3:00-9:00PM	29 LOAD IN 6:00AM IRISH DANCE COMPETITION LOAD OUT BY 10:00PM
30		NOTES:				

April 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 7:00 p.m. Council	4 4:00 p.m. Park Board	5	6	7	8
9	10	11	12 3:30 p.m. Planning Commission	13	14 Good Friday City Offices Open	15
16 	17 7:00 p.m. Council	18	19 4:00 p.m. Rec Board @ Hobart	20	21	22
23	24	25	26 3:30 p.m. Planning Commission	27	28	29
30						